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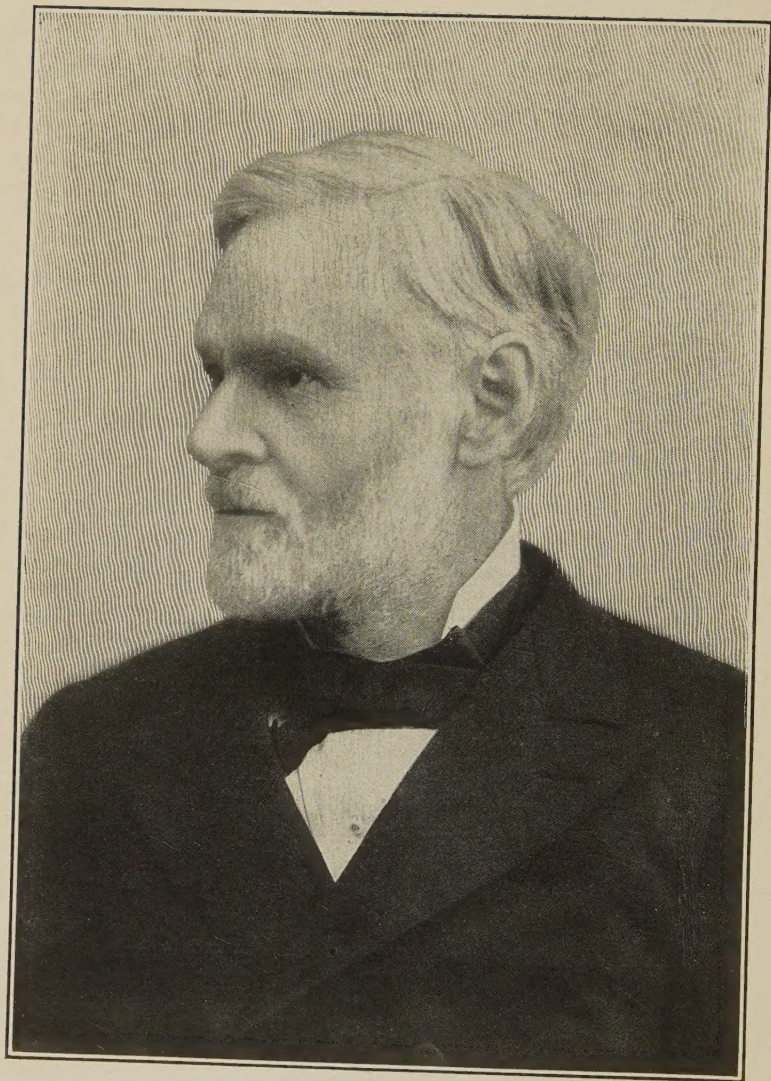
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JOHN SHERMAN

IN 1889.

JOHN SHERMAN

HIS LIFE AND PUBLIC SERVICES

BY

WINFIELD S. KERR

Late Member of the Ohio Senate and Representative in
Congress from the 14th Ohio District

VOL. II.



BOSTON
SHERMAN, FRENCH & COMPANY
1908

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LIFE OF JOHN SHERMAN

VOLUME II.

CHAPTER XLII.

POLITICAL TROUBLES OF PRESIDENT HAYES' ADMINISTRATION.—HIS SOUTHERN AND CIVIL SERVICE POLICIES.—ANTAGONIZED BY SENATOR CONKLING AND OTHERS.—THE NEW YORK CUSTOM-HOUSE INVESTIGATION.—REMOVAL OF GENERAL ARTHUR AS COLLECTOR, AND A. B. CORNELL AS NAVAL OFFICER.—CORNELL NOMINATED FOR GOVERNOR OF NEW YORK BY REPUBLICANS.—SHERMAN'S ATTITUDE.—THE POTTER INVESTIGATION.—CHARGE AGAINST SECRETARY SHERMAN.—HIS EXONERATION.—PRESIDENT'S VETOES.

THE administration of President Hayes was destined to meet the most bitter and persistent opposition from the Democratic party, and at the same time to become involved in an inter-party contest, which arrayed against it some of the most influential members of the Republican party, and aroused political and personal animosities, which outlasted the President's official term. The inaugural address of President Hayes gave notice of his intention to adopt two policies, both of which were new, and both a radical departure from the policies and practices of his predecessors, in respect to the same subjects. The first of these policies was a promise to restore to the southern States the exercise of the right of local self-government, and the second

was a promise to reform the Civil Service. The inauguration of the first of these policies meant the withdrawal of the federal military power, which President Grant had supplied, to sustain some of the State Governments in the South, and the second meant to abrogate the practice of making appointments to public office, or retention in office in consideration for partisan service. The first was designated as the President's Southern Policy, and the second as his Civil Service Policy.

One of the first acts of the Hayes administration was to set on foot an investigation into the methods and efficiency of the officials and subordinates in the principal Custom-Houses of the United States. Within three months the committees, appointed to investigate the New York Customs Service, reported a condition demanding an immediate amendment. The President directed the Secretary of the Treasury to carry out the recommendations of the committee. His letter to Secretary Sherman will indicate the nature of the vice found in the Custom-House, at New York. He said in part:—

“Party leaders should have no more influence in appointments than other equally respectable citizens. No assessments for political purposes, on officers or subordinates should be allowed. . . . No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions, or election campaigns.”

These sentiments, if made a rule of action by the administration it was seen, would work a complete revolution in the system and methods theretofore prevailing. That a party leader, perhaps a Senator, who was the absolute dictator of the politics of his State, should have no more influence in the making of political appointments than an ordinary citizen, was positively startling. It was pulling the foundation from under a system which had the sanction of time, and the strong support of self-interest. Public men of vast political patronage—the heads of State machines—men whose public eminence was due more to patronage than to achievement—began to reflect upon what their positions would be if this

new order was established. Smaller men—chairmen of State and county organizations—began to speculate as to where campaign funds would come from, if assessments upon office-holders were forbidden; office-holders themselves, especially those whose appointments had been made for, or whose tenure depended upon their activity and efficiency in practical politics, wondered how long they would be permitted to serve the public when they could no longer attend caucuses and conventions, or be useful in election campaigns.

Secretary Sherman wrote Collector Arthur, of the New York port, a letter of instructions, in which he set forth in detail the President's wishes in regard to future conduct of public officers, in their relation to politics, and directing the Collector to make certain charges, and inaugurate certain reforms in his office. This note was under date of May 28, (1877), and the Secretary said in part:—

“The President properly lays great stress on excluding from a purely business office active participation in party politics. Naturally, in a Government like ours, other things being equal, those will be preferred who sympathize with the party in power; but persons in office ought not to be expected to serve their party to the neglect of official duty, or to promote the interests of particular candidates, or to interfere with the free course of popular opinion, or to run caucuses or conventions.”

It very soon became apparent at Washington, that, whatever the Collector, and other ruling officials of the New York Custom-House, thought of the proposed reforms, they were dominated by an influence superior to the authority of the Federal administration, and that if they were not powerless to act in the premises, they were at least disinclined to aid heartily in carrying them out. The superior power was Senator Conkling. During the administration of President Grant, Conkling had become a great National figure, and notwithstanding that he had come to his political estate by force of his great mental powers, yet he represented in person and career better than any other public man of the first order, the system of politics at which the new administration was

aiming a death blow. It was to be a battle to the death between a new order of things, modestly set forth by the new President, and an old system entrenched in years of practice, and represented by an imperial Senator of an imperial State. The final victory for the new order was not to come, however, during the administration of Hayes, nor until the old order was blackened by the blood of a President. At first the President did not contemplate the removal of Collector Arthur, nor the removal of his colleagues in the New York Custom-House. He did not believe that the inauguration of reforms depended upon their removal, but he very soon became convinced that their change was a condition precedent. He proposed at first to make the changes with the least possible embarrassment and humiliation to the officials themselves. He tendered General Arthur another position of equal honor, but it was declined, and then seeing no other way, he was promptly removed, and another appointed in his stead. The name of Theodore Roosevelt was sent to the Senate, as the successor of General Arthur as Collector. At the same time the names of successors to the Surveyor and Naval Officer were sent to the Senate—Edwin A. Merritt to succeed George H. Sharpe, as Surveyor, and L. B. Prince to succeed A. B. Cornell, as Naval Officer. The Senate promptly refused to confirm these appointments. Senatorial courtesy enabled Senator Conkling to defeat, for the time being, the President's purpose. The names were again sent to the Senate, and Roosevelt and Prince again rejected, but Merritt was subsequently confirmed. This left the administration in a position of the greatest embarrassment. It must succeed in making these changes, or its policy in respect to the reform of the Civil Service would probably go by the board. After the second rejection the President made no further appointments, during the session of the Senate, but immediately upon its adjournment, in July, he issued temporary commissions to Edwin A. Merritt, as Collector, to succeed General Arthur, and to Silas W. Burt, as Surveyor, to succeed Mr. Cornell. Under the law these appointees would

hold until the assembling of Congress, but then the President was required to send their names to the Senate for confirmation or rejection, and if rejected, that action would restore to their places the old Collector and Surveyor. This was to be the supreme test between the President's policy of reform, and spoilsmen under the leadership of Senator Conkling. If these appointments were again rejected by the Senate it would leave the administration powerless to make changes in New York, unless they were made with the consent and concurrence of Senator Conkling. This was a condition which the administration, and especially the Treasury Department, could not suffer without embarrassment and humiliation. Secretary Sherman had determined to resign his office if the Senate again rejected the President's appointments. It was largely through the influence of the Secretary of the Treasury that the appointments were confirmed by a vote so emphatic. The Secretary appealed to his old Senatorial associates and friends, such as Allison, Morrill and Windom, to stand by the administration and not allow Conkling to defeat its work of reform in New York, simply to satisfy his spite against the President. These appeals had much to do in bringing the Republican Senators to a realization of the situation, which would ensure, if a Republican Senate was put in the position of blocking the path of a Republican administration toward needed reforms in the public service. The Secretary's presentation of the case led to a closer inquiry into the motives of Senator Conkling, and to a review of the question as to how far a Senator could go in opposing the policy of an administration of his own choosing, and still justify himself upon grounds of courtesy to a fellow Senator. After a long executive session the Senate confirmed the appointment of Mr. Merritt, by a vote of thirty-three to twenty-four and that of Mr. Burt by a vote of thirty-one to nineteen. The administration thus passed triumphantly a great crisis, and thereafter was not seriously troubled in securing confirmations of its appointments by the Senate.

But Senator Conkling was not easily turned aside from his purpose. And while he did not thereafter seriously attempt to defeat the appointments of the President, he sought, in other ways, to embarrass the administration, and to vindicate his own course. He transferred the theatre of his operations from the Senate to the politics of New York. The next year (1879), he secured the nomination of Cornell, as the Republican candidate for Governor, and selected General Arthur as Chairman of the Republican Executive Committee, of the State. The Republican organization, through its representative, General Arthur, then invited Secretary Sherman to speak in the campaign. Many of the friends of President Hayes, in New York, advised Mr. Sherman not to accept the invitation, and pressed upon him the argument that to do so would be akin to personal stultification, and that to contribute to the election of Cornell, and to the vindication of General Arthur, might readily be construed into an admission that their removal was not justified. John Jay, the Chairman of the Committee appointed to investigate the New York Custom-House, and upon whose report the determination to remove the chief Custom-House officers was founded, wrote Secretary Sherman, presenting this view of the situation, but the Secretary, looking beyond its mere personal complexion, answered:—

“I feel as you do, that the nominating of Mr. Cornell, and the appointment of Mr. Arthur to conduct the canvass, has the look of a reproach to the President for their removal. If only their personal interests were involved, I should feel great indifference to their success, but it so happens that Republican success, in New York, is of such vital importance to the people of the United States, that their personal interests in the matter, and even the motive of the nomination and appointment should be overlooked, with a view to secure the country against the return to power of the Democratic party.”

At the time this invitation to speak to the Republicans of New York was received, Secretary Sherman had engaged to speak in the Ohio campaign, where the gubernatorial contest, between Hon. Chas. Foster and General Ewing, was in

progress, but he accepted, subject to the arrangement of dates later. He spoke to immense audiences at Albany, Syracuse and Rochester, and in Cooper Institute, in the city of New York. Mr. Cornell was elected Governor, with a Republican legislature. This legislature subsequently elected Thomas A. Platt as Senator, to succeed Francis Kernan, a Democrat. The result of this election was in form a popular vindication of Arthur and Cornell, and seemingly strengthened Senator Conkling. Mr. Platt, already designated as Senator Conkling's colleague, although he afterwards achieved great prominence and distinction, was then regarded as a machine-politician, and wholly subservient to Conkling's wishes. Political events were developing strangely, and apparently to the discomfiture of the President, and Secretary Sherman. The rejected were becoming the pillars of the Republican temple. The next year, after the election of Mr. Cornell as Governor, his colleague, General Arthur, was nominated for Vice-President by the Republicans.

The administration was beset by other difficulties. The failure of Mr. Tilden to reach the Presidential office was an acute disappointment to the Democratic politicians. They sought every means to embarrass the President, and to impair confidence in his administration. His title to the office was denied, and almost every form of partisan vituperation was indulged in against him. Next to the President, Secretary Sherman came in for the fullest measure of abuse. Toward midsummer, of 1878, it became apparent that resumption would succeed. This further aggravated and disappointed the opposition, and it cast about for some means, new or old, by which Secretary Sherman might be embarrassed in his management of the Treasury Department, and perhaps discredited as a public man. The investigation into the Syndicate contract, instead of convicting the Secretary of wrong, had resulted in a complete vindication of his course. There was nothing new or current, so the Democratic politicians decided to resurrect the old exploded charge of corruption, in

connection with the count of the vote of Louisiana, in the fall of 1876. When Mr. Potter, of New York, on the thirteenth day of May, 1878, procured the passage, in the House of Representatives, of a resolution to investigate Secretary Sherman for alleged corrupt participation in, or connection with, the counting of the vote of Louisiana, in the Presidential election, eighteen months had elapsed since the occurrence of the act. The following named distinguished public men had had precisely the same to do with the count that Mr. Sherman had, viz.: Stanley Matthews, James A. Garfield, E. W. Stoughton, J. H. Van Allen, Wm. D. Kelley, John E. Stevenson, Eugene Hale, J. M. Tuttle, J. W. Chapman, W. R. Smith, W. A. McGrew, Sidney Clark, C. B. Farwell, Abner Taylor, Will Cumback and C. Irvin Ditty. All these were Republicans, but a larger number of distinguished Democratic statesmen and politicians were present at the count. Among these were General Palmer and Lyman Trumbull, of Illinois; Samuel J. Randall and Andrew G. Curtin, of Pennsylvania; J. E. McDonald and Geo. W. Julian, of Indiana; Louis B. Boggy and James O. Broadhead, of Missouri, and many others. The attitude of these visitors was determined upon at a joint meeting—it was that a certain number, representing each side, should be present at each meeting of the Returning Board, and simply witness the proceedings, to the end that they might be conducted fairly, honestly and according to law. Mr. Sherman was simply one of these visitors—he did nothing more and nothing less than his associates, yet he was singled out to be the object of this investigation, in order that the administration might be struck through its most distinguished representative. The specific charge against Mr. Sherman was that he had corruptly influenced Dr. A. Weber and James E. Anderson, two Supervisors of Registration, in the Parishes of East and West Feliciana, in the State of Louisiana, to return and report such facts in connection with the votes of these Parishes as to result in their votes being rejected by the State Returning Board. A letter, purporting to have been

written by Mr. Sherman, was exhibited as proof of the charge.

This letter is as follows:—

NEW ORLEANS, November 20, 1876.

Messrs. D. A. WEBER and JAMES E. ANDERSON:

Gentlemen: Your notes of even date had just been received. Neither Mr. Hayes, myself, the gentlemen who accompany me, or the country-at-large, can ever forget the obligations, under which you will have placed us, should you stand firm in the position you have taken. From a large and intimate acquaintance with Governor Hayes, I am justified in assuming the responsibility for promises made, and will guarantee that you will be provided for as soon after the fourth of March as may be practicable, and in such manner as will enable you both to leave Louisiana, should you decide it necessary.

Very Truly Yours,

JOHN SHERMAN.

Mr. Sherman promptly denied having written, or directed the writing of such a letter. It was a forgery, as the evidence clearly showed. He immediately requested that he might be represented before the Committee by Counsel, and in his communication to the Committee said in part:—

“With the view, therefore, to meet this accusation, which so far as it effects me, I declare and know to be absolutely destitute of even the shadow of truth, I respectfully ask, and now make formal application, for leave to be represented before your Committee in the investigation of all charges affecting me personally. I tender and offer to prove that, in point of fact, the election in East and West Feliciana Parishes was governed and controlled by force, violence and intimidation, so revolting as to excite the common indignation of all who became conversant with it, and proof was submitted to that effect, not only before the Returning Board, in evidence contained in Executive Document No. 2, Second Session, Forty-fourth Congress, but also in the testimony taken by the Committee of the Senate on Privilege and Elections, Report No. 701, Second Session, Forty-fourth Congress.”

The majority of this Committee set out to find something with which to discredit and dishonor the Secretary of the Treasury. It was a partisan majority, embittered by disappointment, chagrined at the success of the financial operations

of the administration, and determined to sustain the charges, if possible. The investigation continued and the report was not made until March 3, 1879. In the meantime resumption had succeeded, and even the Democratic politicians had lost interest in the result of the investigation. The proof showed the letter to have been a forgery, and that Mr. Sherman had in no way influenced, nor sought to influence, the orderly and honest counting of the vote. So little interest was taken in the report that no action was taken upon it by the House.

During the first two years of President Hayes's administration the two Houses of Congress were in serious disagreement, in respect to amendments to certain general laws tacked upon appropriation bills. These amendments aimed to deprive the Federal Government of power in elections for Federal offices. The Senate being Republican, during this time, it amended the bills so as to exclude the riders, the result of which was the failure of both of the appropriations and the amendments. It was asserted by the Democratic party that the army, and certain Federal officers, were being used under authority of law to influence elections in the South. These riders to appropriation bills, if passed, would have repealed certain sections of the Revised Statutes, and wholly deprived the Federal Government of power to interfere for any purpose in Federal elections. The Senate became Democratic, on the fourth of March, 1879. On that day the President called Congress to meet in extra session, on the eighteenth day of March.

In his special message the President said:—

“The failure of the last Congress to make requisite appropriations for legislative and judicial purposes, for the expenses of the several Executive Departments of the Government, and for the support of the army, has made it necessary to call a special session of the Forty-sixth Congress.”

Both the Houses passed the Army Appropriation Bill, with a rider repealing a clause of Section 2002, of the Federal Revised Statutes. The clause was as follows: “Or to keep

peace at the polls." This section made it unlawful for any person engaged in the civil, military or naval service of the United States to "order, bring, keep or have, under his authority or control, any troops or armed men at any place where any general or special election is held in any State, *unless it is necessary to repel the armed enemies of the United States, or to keep the peace at the polls.*"

They also tacked upon the Appropriation Bill, for legislative, executive and judicial purposes, an amendment, prohibiting the appointment of chief supervisors of elections, and the use of Deputy United States Marshals in respect to any election. Both these bills were vetoed by President Hayes, and his objections thereto stated in two State papers of remarkable force. The issue made between the Executive and Congress was one of unsurpassed importance. The House claimed the right to make appropriations upon conditions—the conditions being that the President must approve legislation, which his conscience and judgment condemned, or the Government go without supplies. The Executive denied this power to the legislative branch, and put his refusal to accept supplies, upon such condition, upon the ground that such a course would deprive the Executive of free and independent action as a coördinate branch of the Government—it would coerce the Executive into signing a bill, an important part of which, he did not approve.

The purpose of the majority in Congress was to free the elections from all Federal supervision. But instead of seeking repeal of the laws, under which the right was exercised by direct and independent repealing laws, this majority sought to repeal them by the indirect and objectionable method of attaching the repealing clauses to appropriation bills. This conflict between President Hayes and Congress attracted great public notice, and became one of the issues of the succeeding Presidential election. Secretary Sherman supported the President in his position. In the political addresses, made by the Secretary, during the campaign of 1879, he made frequent and telling reference to the attitude of the Democratic party, in

attempting to repeal the election laws. At Paterson, New Jersey, on the twenty-eighth of October, he said:—

“Now I want to serve notice on the Democratic party, that the Republican party has resolved upon two things, and it never makes up its mind upon anything until it is determined to put it through. *We are going to see that every lawful voter in this country has a right to vote one honest ballot, at every National election, and no more.* If the Democratic party stands in the way, so much worse for the Democratic party. If the South, rebellious as it is, stands in the way again, we will protect every voter in his right to vote, wherever the Constitution gives the right to vote. Local elections must be regulated by local laws. Southern voters may cheat each other as they please in local elections. The Republican party never trenched on the rights of States, and does not intend to.

“Whenever National officers, or Congressmen, are elected, these are National elections, and, under the plain provisions of the Constitution, the Nation has a right to protect them. The Republican party intends, if the present law is not strong enough, *to make it stronger.* In the South a million Republicans are disfranchised. With the help of Almighty God, we intend to right that wrong. Congress has a right to regulate Congressional elections.”

The practice had grown up of attaching general legislation upon appropriation bills, but it was vicious practice, and it has since been abrogated by an express rule of the House of Representatives. Mr. Sherman, in these political addresses, did not attempt to discuss the Constitutional right of Congress to regulate the election of Federal officers, if it saw fit—indeed the right was so plainly written on the face of the Constitution as to render interpretation, or discussion, superfluous. Section 4, of Article I, of the Constitution declares:—

“The times, places, and manner of holding elections for Senators and Representatives shall be presented in each State by the legislature thereof; but the Congress may, at any time, by law, make or alter such regulations, except as to the places of choosing Senators.”

The fifteenth amendment to the Constitution provides:—

“SECTION 1.—The right of citizens of the United States to vote shall not be denied, or abridged, by the United States, or by any State, on account of race, color, or previous condition of servitude.

“SECTION 2.—The Congress shall have power to enforce this article by appropriate legislation.”

The Supreme Court of the United States construed this amendment, and held that it invested the citizens with a new Constitutional right, which was within the protecting power of Congress. The original Section 4, of Article I, leaves Congress entirely free to make regulations of its own, to adopt or change those made by the States as it sees fit, with a single limitation upon the otherwise plenary power, and that is that it shall not change the places of choosing Senators.



CHAPTER XLIII.

RESUMPTION ASSURED.—SECRETARY SHERMAN'S ANNUAL REPORT, 1878.
 — CONGRATULATES CONGRESS.—RECOMMENDS DISCONTINUANCE
 OF THE COINAGE OF THE BLAND SILVER DOLLAR.—THE RESUMP-
 TION FUND.—JANUARY 1ST, 1879.—RESUMPTION SUCCESSFUL.—
 NEWSPAPER CONGRATULATIONS TO THE SECRETARY.—HIS EN-
 EMIES TENDER COMPLIMENTS.

WHEN Congress assembled in December, 1878, the success of resumption was assured. Gold and greenbacks had so nearly approximated that there was but a fraction of a cent difference in their value, and that was certain to disappear within a few days. The gold reserve fund had been accumulated in the Treasury. All the details in the execution of the law had been worked out, and the Treasury Department awaited the day with supreme confidence. Congress had cleared away the doubts, as to the status of the United States notes, after redemption, and by express enactment had provided that they were not to be cancelled or destroyed, but re-issued, and kept in circulation. The Resumption Act had been criticised severely, because it limited the redemption of the greenbacks to a single place, the office of the Assistant Treasurer, in the city of New York. It was the purpose of Secretary Sherman that the holders of the United States notes should have the broadest opportunity to exchange them for coin, on and after the day fixed; with this object in view, he made arrangements, and adopted regulations which would facilitate the exchange. Through his efforts, or under his direction, the Assistant Treasurer's office, in New York, became a member of the Clearing-House, and an order was issued that on and after January 1st, 1879, United States notes should be received by the association as coin in the Clearing-House operations. These notes were

also to be received for customs duties, and they were to be paid by the Government upon all obligations, unless coin was demanded on coin obligations. It was the object of the Secretary to so conduct the operations of the Treasury, and to so keep its accounts after the first of January, that there would be no distinction, or discrimination, made between the different kind of money issued, or coined, by the Government. The issuing of gold certificates was to be discontinued, after the first of January.

The annual report of the Secretary of the Treasury, for the year 1878, set forth in detail the steps which had been taken in preparing for resumption, and it pointed out what would be done in further execution of the law. One paragraph of this report said:—

“The important duty imposed on this department by the Resumption Act, approved January 14th, 1875, has been steadily pursued during the last year. The plain purpose of the act is to secure, to all interests and all classes, the benefits of a sound currency, redeemable in coin, with the least possible disturbance of existing rights and contracts. Three of its provisions have been substantially carried into execution, by the gradual substitution of fractional coin for fractional currency, by the free coinage of gold, and by free banking. There remains only the completion of preparations for resumption in coin, on the first day of January, 1879, and its maintenance thereafter, upon the basis of existing law.”

The Secretary congratulated Congress that:—

“Every step in the preparation for resumption has been accompanied with increased business and confidence. The accumulation of coin, instead of increasing the price, as was feared by many, had steadily reduced its premium in the market. The depressing and ruinous losses that followed the panic of 1873, had not diminished in 1875, when the Resumption Act was passed; but every measure taken in the execution, or enforcement of this Act, has tended to lighten these losses and to relieve the premium on coin, so that now it is merely nominal. The present condition of our trade, industry, and commerce, hereafter more fully stated, our ample reserves, and the general confidence inspired in our financial condition, seem to justify the opinion that we are prepared to commence and maintain resumption from and after the first day of January, A. D., 1879.”

He sounded a note of alarm—he pointed out one danger, which, if it did not menace the successful inauguration of resumption, it would entail upon the Government an additional burden in maintaining it. This danger was the coinage of silver dollars under the Bland-Allison law, passed February 28th, 1878. The law required the coinage of at least two million silver dollars each month. Secretary Sherman saw that in time, this dilution of the coin circulation, by the injection into it of two million depreciated dollars each month, all of which would possess unlimited legal-tender quality, would displace gold, and might drive the Treasury to redeem the greenbacks in silver. To guard against this danger, he recommended that Congress should authorize him to discontinue the coinage of the silver dollar, when the aggregate reached fifty millions. He further recommended that if this was not done that the coinage ratio should be changed to correspond, as nearly as possible, to the commercial ratio. It will be remembered that at this time the silver question had received only a theoretical discussion. That had been elaborate, but the facts upon which the true solution was to be made were far in the future. The following extracts, from this annual report, will show how clearly Secretary Sherman comprehended the situation, and how accurately he forecast the future, as to the effect which the coinage of two million silver dollars a month would eventually have upon our financial system:—

“When the Resumption Act was passed, gold was the only coin which, by law, was a legal-tender in payment of all debts. The Act contemplated resumption in gold coin only. No silver coin of full legal-tender could then be lawfully issued. The only silver coin provided was fractional coin, which was a legal-tender for five dollars only. The Act, approved February 28, 1878, made a very important change in our coinage system. The silver dollar provided for was made a legal-tender for all debts, public and private, except where otherwise expressly stipulated in the contract. The amount of this coin issued will more properly be stated hereafter, but its effect upon the problem of resumption should be here considered.

“The law itself clearly shows that the silver dollar was not to supersede the gold dollar; nor did Congress propose to adopt the single

standard of silver, but only to create a bimetallic standard of silver and gold, of equal value, and equal purchasing power. Congress, therefore, limited the amount of silver dollars to be coined to not less than two millions, nor more than four millions per month, but did not limit the aggregate amount, nor the period of time during which this coinage should continue. The market value of the silver in a dollar, at the date of the passage of the Act, was ninety-three and a quarter cents in gold coin; now it is about eighty-six cents in gold coin. If it was intended by Congress to adopt the silver, instead of the gold standard, the amount provided for is totally inadequate for the purpose. Experience, not only in this country but in European countries, has established that a certain amount of silver coin may be maintained in circulation at par with gold, though of less intrinsic bullion value. It was, no doubt, the intention of Congress to provide a coin in silver which would answer a multitude of the purposes of a business life, without banishing from circulation the established gold coin of the country. To accomplish this, it is indispensable either that the silver coin be limited in amount, or that its bullion value be equal to that of the gold dollar. If not, its use will be limited to domestic purposes, it will necessarily fall in market value, and, by a well-known principle of finance, will become the sole coin standard of value. Gold will be either hoarded or exported. When two currencies, both legal, are authorized without limit, the cheaper alone will circulate. If, however, the issue of the silver dollars is limited to an amount demanded for circulation, there will be no depreciation, and their convenient use will keep them at par with gold.

"The amount of such coin, that can thus be maintained at par with gold, can not be fairly tested until resumption is accomplished. As yet, paper money has been depreciated, and silver dollars, being receivable for customs dues, have naturally not entered into general circulation, but have returned to the Treasury in payment of such dues; and thus the only effect of the attempt of the Department to circulate them has been to diminish the gold revenue. After resumption, these coins will circulate in considerable sums for small payments. To the extent that such demand will give employment to silver dollars, their use will be an aid to resumption, rather than a hindrance; but, if issued in excess of such demand, they will at once tend to displace gold, and become the sole standard, and gradually, as they increase in number, will fall to their value as bullion. Even the fear, or suspicion, of such an excess tends to banish gold, and, if well established, will cause a continuous drain of gold, until imperative necessity will compel resumption in silver alone. The serious effects of such a radical change, in our standards of value, can not be exaggerated; and its possibility will greatly disturb confidence in resumption, and may make necessary larger reserves, and further sales of bonds. The Secretary therefore earnestly invokes the attention

of Congress to this subject, with a view that either during the present, or the next session, the amount of silver dollars to be issued be limited, or their ratio to gold for coining purposes be changed.

"Gold and silver have varied in value, from time to time, in the history of nations, and laws have been passed to meet this changing value. In our country, by the Act of April 2, 1792, the ratio between them was fixed at one of gold to fifteen of silver. By the Act of June 28, 1834, the ratio was changed to one of gold to sixteen of silver. For more than a century the market value of the two metals had varied between these two ratios mainly resting at that fixed by the Latin Nations, of one to fifteen-and-a-half.

"But we cannot overlook the fact that within a few years, from causes frequently discussed in Congress, a great change has occurred in the relative value of the two metals. It would seem to be expedient to recognize this controlling fact—one that no Nation alone can change—by a careful readjustment of the legal ratio for coinage of one to sixteen, so as to conform to the relative market values of the two metals. The ratios, heretofore fixed, were always made with that view, and, when made, did conform as near as might be. Now that the production and use of the two metals have greatly changed in relative value, a corresponding change must be made in the coinage ratio. There is no peculiar force, or sanction, in the present ratio, that should make us hesitate to adopt another, when in the markets of the world it is proven that such ratio is not now the true one. The addition of one-tenth, or one-eighth to the thickness of the silver dollar would scarcely be perceived as an inconvenience by the holder, but would inspire confidence, and add greatly to its circulation. As prices are now based on United States notes at par with gold, no disturbance of values would result from the change.

"It appears, from the recent conference at Paris, invited by us, that, other nations will not join with us in fixing an international ratio, and that each country must adopt its laws to its own policy. The tendency of late, among commercial nations, is to the adoption of a single standard of gold, and the issue of silver for fractional coin. We may, by ignoring this tendency, give temporarily increased value to the stores of silver in Germany and France, until our market absorbs them; but, by adopting a silver standard as nearly equal to gold as practicable, we make a market for our large production of silver, and furnish a full, honest dollar, that will be hoarded, transported, or circulated, without disparagement or reproach.

"It is respectfully submitted that the United States, already so largely interested in trade with all parts of the world, and becoming, by its population, wealth, commerce and productions, a leading member of the family of nations, should not adopt a standard of less intrin-

sic value than other commercial nations. Alike interested in silver and gold, as the great producing country of both, it should coin them at such a ratio, and on such conditions, as will secure the largest use and circulation of both metals without displacing either. Gold must necessarily be the standard of value in great transactions, from its greater relative value, but is not capable of the division required for small transactions; while silver is indispensable for a multitude of daily wants, and is too bulky for use in the larger transactions of business, and the cost of its transportation for long distances would greatly increase the present rates of exchange. It would, therefore, seem to be the best policy, for the present, to limit the aggregate issue of our silver dollars, based on the ratio of sixteen-to-one, to such sums as can clearly be maintained at par with gold, until the price of silver in the market shall assume a definite ratio to gold, when that ratio should be adopted, and our coins made to conform to it; and the Secretary respectfully recommends that he be authorized to discontinue the coinage of the silver dollar when the amount outstanding shall exceed fifty million dollars.

"The Secretary deems it proper to state that, in the meantime, in the execution of the law as it now stands, he will feel it to be his duty to redeem all United States notes presented on and after January first next, at the office of the Assistant Treasurer of the United States, in the city of New York, in sums of not less than fifty dollars, with either gold or silver coin, as desired by the holder, but reserving the legal option of the Government; and to pay out United States notes for all other demands on the Treasury, except when coin is demanded on coin liabilities."

The crisis was not reached until many years after. The effect of the Bland-Allison law was, however, precisely what Secretary Sherman predicted. The gold income of the Government was reduced by the use of silver certificates to pay customs duties. This, in time, compelled the Government to sell bonds to replenish the gold reserve. As soon as the silver dollars, or the certificates issued thereon, reached an amount in excess of the needs of business, the tendency was to displace gold in the circulation. The silver certificates took the place of gold, and the currency redeemable in gold. If this policy had continued, it would have brought us to the condition pointed out by Secretary Sherman—namely, to a silver standard. As soon as the silver circulation had reached a certain amount, its monetary value would have

sunk to its commercial value. But happily this danger was averted by legislation. First, the Government assumed the obligation of maintaining the parity of silver and gold, and finally the coinage of the silver dollar was discontinued, by a repeal of the law.

For several weeks prior to the first of January, (1879), the Secretary of the Treasury entertained no doubts as to his ability to inaugurate and maintain resumption of specie payments. The resumption fund, during December, reached \$141,888,100, more than three millions in excess of the amount deemed sufficient for the purpose. On the seventeenth day of December, the premium on gold disappeared, but, notwithstanding these assuring evidences, a number of financial institutions were skeptical, and appealed to the Secretary to furnish gold, from the Treasury, to certain banks, to enable them to respond to anticipated demands for gold. There were rumors in New York that a combination had been formed to accumulate greenbacks, and with them deplete the Sub-treasury of gold, as soon as the law went into operation. The names of men of great capital and influence were mentioned, by the rumors, but Secretary Sherman was not alarmed—he reasoned the matter out along common sense lines, and came to the conclusion that the conduct of the men of that character would be inspired and controlled by self-interest, and that they would not do the profitless thing of accumulating greenbacks to draw gold from the Sub-treasury when the greenbacks were worth as much as the gold.

As the first of January approached, all eyes were turned toward the Sub-treasury in New York. The signs were all auspicious, but still there was much curiosity, and some anxiety to see the end of the first day of resumption. The first fell on Sunday, and so the beginning was postponed until Monday, the second of the month. The chief centers of interest were Washington and New York. In New York the banks and bankers awaited the opening of the doors of the Sub-treasury with great anxiety. A few months before,

a banker had expressed a willingness to give fifty thousand dollars for the privilege of heading the line at the Sub-treasury, the day resumption should begin. If he had purchased the right, his following would have been more attenuated than the command of the ragged sergeant and his three abreast. There was no line to head. The Treasury officials, at Washington, in the early hours of the day, awaited news from New York with some anxiety, but as the day wore away this anxiety disappeared, and before the business day was half over the Secretary knew that his great plan of resumption had been successfully put into operation. The report of the Assistant Treasurer, of New York, at the close of the business of the first day, told the whole story. The report was:—“\$135,000 of notes presented for coin—\$400,000 of gold for notes.” The result of the first day’s business was a gain of \$265,000 in the gold reserve, and this increase came from the exchange of notes for gold. After the death of Mr. Sherman, the “Boston Currier” said:—

“The action of John Sherman in the resumption of specie payments in 1879, when Secretary of the Treasury, displays the heroic mould of his being. It is an illustration of the supreme effort of one man power for the public weal, when its possessor is guided by unselfish motives, high integrity, and a far-reaching wisdom, supported by absolute confidence in the success of the act contemplated. The ability of the Government to resume and maintain specie payments at the time, although an Act of Congress had been passed authorizing it, was scouted at as chimerical, and not based on the true practical operation of financiers. Eminent bankers doubted its expediency, business men feared the result, opposing politicians sneered at it, as a partisan experiment, and even political associates took hostages of their fears. But with a broad comprehension of affairs, and a prophetic vision of the power of the country, and the spirit of the people, he, single-handed, put into execution the fulfillment of the promise to resume at the date fixed upon. He judged wisely, and acted heroically. With no ripple upon the even flow of the current of business, or finance, the country glided imperceptibly from a system of fiat-money, based on paper promises to pay, to one based on the intrinsic value of gold and silver. The reproaches of enemies, and the misgivings of friends faded away in the general acknowledgment of success.”

For some months after the Resumption Act had been successfully put into operation, and coin payments established, the enemies of resumption made the claim that actual resumption did not exist because the actual payment of coin for United States notes was limited to the Sub-treasury, in New York, they persisted in this claim, notwithstanding the fact that the notes had been brought to a perfect equality with coin, and that coin and paper were paid and accepted indifferently in all sorts of business, and in payment of all sorts of obligations, public and private. Senator Thurman, usually careful and conservative in his statements, made this claim in speeches in Ohio during the gubernatorial campaign of 1879. He would appeal to his audiences to know if they had any gold, since resumption began. After the curiosity for a piece of gold, after its long disappearance, was satisfied, the people as a rule preferred paper money, because of its convenience, and as a result not much gold was exhibited in response to Senator Thurman's inquiry. Just prior to the time he spoke, in Bellaire, the employers' of labor in the shops and factories of that place, at the suggestion of Secretary Sherman, paid the employees in gold. Upon the night of the meeting, the Senator, as usual, made his inquiry whether any gold had been seen circulating in that neighborhood, when immediately a great many pieces were exhibited. They gave the old Roman an ocular demonstration that resumption was real. After that, during the campaign, in the speeches of the Senator, he omitted the inquiry for gold.

When the reality for resumption could no longer be denied, then the opponents of the law sought to belittle its merits by attributing to Providence the results and conditions. It was bountiful crops here, and bad crops abroad, that had brought the prosperity, and not the resumption of specie payments, they said. In a speech, delivered by Secretary Sherman, on the twenty-seventh day of October, 1879, in the Cooper Institute, in New York, he answered these claims. The language is somewhat partisan, but he answered his

political enemies so happily that a few paragraphs of his speech are inserted. He said:—

“The Resumption Act was a Republican measure, supported, advocated and voted for by Republican Senators and Members, and without the aid of a single Democrat in either House of Congress. It has been adhered to, and successfully executed by that party. The Republican party has won no victory more complete than the passage, execution and success of the Resumption Act. This measure was adopted in January, 1875, in the midst of the panic, when our paper money was worth only eighty-five cents on the dollar. It was a period of wild speculation and inflation. The rate of interest was higher before than since—the Government paying six per cent. in gold, corporations in fair credit from eight to ten per cent., and individuals from ten to twelve per cent. Recklessness in contracting debts was universal. Railroads were built where they were not needed; furnaces were put up in excess of all possible demands; and over-production and over-trading occurred in all branches of business. The balance of trade for ten years had been steadily against us, with an aggregate excess of imports over exports of over \$1,000,000,000.

“The panic of 1873 put an end to all these wild, visionary schemes, and left the country prostrate and in ruin. All business enterprises were paralyzed. Congress, in a hopeless quandary, looked in vain for some way of escape from the bankruptcy, which threatened every interest, and every individual. Then it was the Republican party devised, and placed upon the statute book the Resumption Act, and, against noisy opposition and continual speaking, steadily persevered in its execution.

* * * * *

“Now that resumption is a success, Democrats say the Republican party did not bring it about, but that Providence has done it; that bountiful crops here, and bad crops in Europe, have been the cause of all the prosperity that has come with resumption. We gratefully acknowledge that Providence has been on the side of the Republican party, or rather that, having sought to do right, we find ourselves supported by Divine Providence, and we are grateful to the Almighty for the plentiful showers, and favorable seasons, that brought us good crops; but we also remember that it was the passage of the Resumption Act, the steady steps toward resumption, the accumulation of the coin reserve, the economy of the people, and their adjustment of business affairs to the time fixed for resumption, that, with the blessings of Divine Providence, brought us resumption.

“We should be, and are thankful to the Almighty, but we are under no thanks whatever to the Democratic party. It has not, for twenty-

five years, had Providence on its side, but we may fairly infer that, as it has steadily resisted Providence, and patriotic duty for more than twenty years, it must have had the devil on its side. Democrats can claim no credit, but stand convicted of a blundering mistake, in abandoning the old and tried principles of their party, and following after strange gods, with the hope of a brief and partial success. They have failed, and that dogma for hard money, which they abandoned, has been adopted by the Republican party, as the corner-stone of its greatest success."

The fall elections of 1879, especially the election of Cornell, as Governor of New York, and the election of Charles Foster, as Governor of Ohio, were emphatic indorsements of the financial policy of the Republican National administration, and gave indisputable evidence that a large majority of the people were satisfied that the resumption of specie payments was the chief factor in bringing prosperity. The annual message of President Hayes, transmitted to Congress on December 1, 1879, contained felicitations on the success of resumption, and set forth succinctly the financial condition of the Treasury. The President said:—

"I congratulate Congress on the successful execution of the Resumption Act. At the time fixed, and in the manner contemplated by law, United States notes began to be redeemed in coin. Since the first of January, last, they have been promptly redeemed on presentation, and in all business transactions, public and private, in all parts of the country, they are received and paid out as the equivalent of coin. The demand upon the Treasury for gold and silver, in exchange for United States notes, has been comparatively small, and the voluntary deposits of coin and bullion in exchange for notes has been very large. The excess of the precious metals deposited, or exchanged, for United States notes, over the amount of the United States notes redeemed, is about \$40,000,000.

"The resumption of specie payments has been followed by a great revival of business. With a currency, equivalent in value to the money of the commercial world, we are enabled to enter upon an equal competition with other nations, in trade and production. The increasing demand for our manufactures and agricultural products has caused a large balance of trade in our favor, which has been paid in gold, from the first of July, last, to November 15th, to the amount of about \$59,000,000. Since the resumption of specie payments, there has also been a marked and gratifying improvement of the public credit. The bonds of the Gov-

ernment, bearing only four per cent. interest, have been sold at or above par, sufficient in amount to pay off all the National debt, which was redeemable under present laws. The amount of interest saved annually by the process of refunding the debt, since March 1st, 1877, is \$14,297,177. The bonds sold were largely in small sums, and the number of our citizens, now holding the public securities, is much greater than ever before. The amount of the National debt, which matures within less than two years, is \$792,121,700, of which \$500,000,000 bear interest at the rate of five per cent., and the balance is in bonds, bearing six per cent. interest. It is believed that this part of the public debt can be refunded by the issue of four per cent. bonds, and, by the reduction of interest, which will be thus effected, about \$11,000,000, can be annually saved to the Treasury. To secure this important reduction of interest, to be paid by the United States, further legislation is required, which it is hoped will be provided by Congress during the present session.

"The coinage of gold, by the mints of the United States, during the last fiscal year, was \$40,986,912. The coinage of silver dollars, since the passage of the act for that purpose, up to November 1st, 1879, was \$45,000,850, of which \$12,700,344 have been issued from the Treasury, and are now in circulation, and \$32,300,506 are still in possession of the Government.

"The pendency of the proposition, for unity of action between the United States and the principal commercial nations of Europe, to effect a permanent system for the equality of gold and silver in the recognized money of the world, leads me to recommend that Congress refrain from new legislation on the general subject. The great revival of trade, internal and foreign, will supply, during the year, its own instructions, which may well be awaited before attempting further experimental measures with the coinage. I would, however, strongly urge upon Congress the importance of authorizing the Secretary of the Treasury to suspend the coinage of the silver dollars upon the present ratio. The market value of the silver dollar being uniformly and largely less than the market value of the gold dollar, it is obviously impractical to maintain them at par with each other, if both are coined without limit. If the cheaper coin is forced into circulation, it will, if coined without limit, soon become the sole standard of value, and thus defeat the desired object, which is a currency of both gold and silver, which shall be of equivalent value, dollar for dollar, with the universally recognized money of the world.

"The retirement from circulation of United States notes, with the capacity of legal-tender in private contracts, is a step to be taken in our progress toward a safe and stable currency, which should be accepted as the policy and duty of the Government, and the interest and security of the people. It is my firm conviction that the issue of legal-tender paper

money, based wholly upon the authority and credit of the Government, except in extreme emergency, is without warrant in the Constitution, and a violation of sound financial principles."

Secretary Sherman did not concur in the opinion of the President, that the greenbacks should be retired as the final step toward a sound and stable currency. The Secretary believed that whatever amount of the United States notes could be safely maintained at par with coin should be retained in circulation. His currency scheme was substantially the one in operation now, (1903). It had then serious defects, and has now—it once put the Government to great cost, and in some danger to maintain specie payments—but no better system has been devised, at least no other has gained sufficient support to secure its adoption. Secretary Sherman believed that the Government could easily and safely maintain at par with gold in the neighborhood of \$350,000,000 United States notes—that this would furnish a safe and cheap circulating medium, and that it could be supplemented, and elasticity supplied by the issue of National bank notes—that the volume of these latter notes would rise and fall with the volume of trade and commerce—that the Government would save the interest on the notes. These were the reasons which impelled him to the belief that it would be far better to retain the greenbacks than to give over to the National banks the whole paper circulation. He did not underestimate the danger that lurked in the demand notes, but he had supreme faith in the ability of the Government to maintain their equality with coin.

President Hayes, in his last annual message of December, 1880, again recommended the retirement of the greenbacks, and warned Congress of the danger of continuing the coinage of the silver dollar. Secretary Sherman was still of the opinion that the greenbacks should not be retired, and in his annual report, of the same year, referred to the question of retirement in language as follows:—

"United States notes are now, in form, security, and convenience, the best circulating medium known. The objection is made that they

are issued by the Government, and that it is not the business of the Government to issue paper money, but only to coin money. The answer is, that the Government had to borrow money, and is still in debt. The United States note to the extent that it is willingly taken by the people, and can, beyond question, be maintained at par in coin, is the least burdensome form of debt. The loss of interest in maintaining the resumption fund, and the cost of printing and engraving the present amount of United States notes, is less than one-half the interest of an equal sum of four per cent. bonds. The public thus saves over seven million dollars of annual interest, and secures a safe and convenient medium of exchange, and has the assurance that a sufficient reserve in coin will be retained in the Treasury beyond the temptation of diminution, such as attends reserves held by banks."

At this time there had been coined a little over 72,000,000 silver dollars under the Bland-Allison law, only about one-third of which could be kept in circulation, the rest remaining in the Treasury. Secretary Sherman again urged upon Congress the wisdom of suspending the operation of this silver law, or that the ratio be changed so that the commercial value of the metals in the gold and silver would be practically the same. From the first day of January, 1879, to the last day of the administration of President Hayes, the coin fund in the Treasury constantly increased—so that when Mr. Sherman resigned the Secretaryship, on the third of March, 1881, he left the Treasury Department with resumption so completely accomplished, and its maintenance so certainly assured, that even his enemies were constrained to pronounce encomiums on his work. Don Piatt, an Ohio man, and a most brilliant newspaper writer, had for many years fattened an ancient grudge against Mr. Sherman, but yet he was generous enough at the close of his administration of the Treasury Department to pay the following characteristic tribute to the Secretary:—

"He took the Treasury at a period when it was little more than a great National bank of discount, with rates varying from day to day, the coin standard a commodity of speculation on Wall Street; the credit of the Government a football in the markets of the world; and our bonds begging favor of European capitalists. He leaves it what it ought to be—a Treasury pure and simple, making no discounts, offering no

concessions, asking no favors; the board that once speculated in coin as a commodity abolished, doors closed by reason of occupation gone; the credit of our Government at the head of the list of Christendom,—since we are launching at par a three per cent. consol, which even England, banking-house of the universe, has never yet been able to maintain steadily above ninety-seven.

“This is no small achievement to stand as the record of four years. It is an achievement that entitles the man who accomplished it to rank as one of the four great American financiers, who really deserve the title—Robert Morris, Albert Gallatin, Salmon P. Chase and John Sherman.

“We take off our hat to John; not because we like him personally, but because we admire the force of character, the power of intellect, and the courage of conviction, that moved him to face his difficulties, surmount his obstacles, and overcome the resistance he met.

“The Treasury, he took up in 1877, was a battle-ground. The Treasury he resigns to his successor in 1881 is a well-ordered machine of red tape and routine, requiring for its future successful administration little else than mediocrity, method and *laissez faire*.”



CHAPTER XLIV.

REFUNDING OPERATIONS CONTINUED.—THE ORDER TO EXCHANGE SILVER DOLLARS FOR GREENBACKS.—THE SALES OF FOUR PER CENT. BONDS.—ACT TO REFUND THE TEN-FORTY BONDS.—SALES OF FOURS TO COVER THEM.—SHERMAN'S PICTURE PLACED IN NEW YORK CHAMBER OF COMMERCE.—OHIO REPUBLICANS WANT TO NOMINATE HIM FOR GOVERNOR.—THE OHIO SENATORSHIP.—SHERMAN AND GARFIELD.—SHERMAN SOLICITED TO BE A CANDIDATE FOR PRESIDENTIAL NOMINATION.

AFTER the resumption of specie payments, the refunding of the public debt proceeded with unexampled rapidity. For some time prior to the first of January, (1879), refunding operations had lagged, on account of the approaching change in the money basis. It was the purpose of Secretary Sherman, as soon as the Resumption Act was successfully in operation, to complete, as rapidly as circumstances would permit, the refunding of the outstanding five-twenty six per cent. bonds into four per cents. Soon after the first of January, the Secretary offered the four per cent. bonds at par in coin. The subscriptions showed that several times the amount necessary to pay the six per cents. could have been sold in the United States, but to avoid the exportation of gold to London, to pay for the called five-twenty bonds, many of which were held in England, it was wisely ordered by the Secretary that a certain amount of subscriptions to the fours should be taken abroad—the result was that the called bonds, held abroad, were paid for to a large extent by the proceeds of the four per cents., and no disturbance to the money market occurred. So rapidly were the four per cents. subscribed for, that, during the month of January, \$120-000,000 of the five-twenty bonds were called for payment.

By the terms of the law it was necessary to call the bonds ninety days before the time of payment. Prudence required that the Treasury should be absolutely certain of the money to pay before a call was made. The result was that the Government was compelled to suffer the loss of paying interest on called bonds, with the money to pay them lying idle in the Treasury, or in its depositaries. Secretary Sherman asked Congress to reduce the time for a call to ten days, but it did not pass the requisite legislation. He then reduced the amount of loss very materially, by calling the bonds, in anticipation of the money being on hand at the time of payment—this could be done with safety after the first of January, at which time it became apparent that the four per cents. could be readily sold. Secretary Sherman, anticipating that some stringency might occur in the money market, by tying up in the Treasury, or its depositaries, the large sums paid for the four per cent. bonds, awaiting the time when the called bonds could be paid, he issued an order, inviting the direct exchange of the five-twenty, six per cent. bonds for the "Fours," and, to encourage such exchanges, the same commission was allowed the persons making them as was allowed banks and bankers for the sale of the bonds. It was believed in money quarters, and especially on the part of banks and bankers, that the accumulation in the Treasury of the vast sums paid in subscriptions to the four per cent. bonds would cause a money panic, and to allay these fears the Secretary issued an order allowing the money paid upon subscriptions to remain in the banks, and thus in circulation, until the called bonds were to be paid for. This led to the usual amount of political claptrap about the banks being favored, and the Secretary was charged with being a stockholder in certain banks, and interested in extending them privileges and favors, out of which they would realize profits. This charge was a pure fabrication. Secretary Sherman never realized a cent of profit directly or indirectly, as the result of any official act or order of his, while at the head of the Treasury Department.

Mr. Sherman, while Secretary of the Treasury, was frequently importuned, not corruptly, but with pure motives, by men or institutions interested in financial stability, to do something which it was thought would avert a real or fancied danger, but he steadily refused, unless the action invited was clearly within his official power, and was not one prejudicial to the Government, or the public good. Only once or twice throughout the vast operations of the Treasury, while he was Secretary, did he overstep the boundaries of law. Subsequent reflection satisfied him that his order to exchange silver dollars for United States notes, prior to the first of January, 1879, was without authority of law, and he promptly rescinded the order. This order was made to facilitate resumption, and to give the new silver dollar as wide circulation as possible. On account of the rescission of this order, he was charged with being unfriendly to silver. The records of the Treasury Department, during this period, afford ample evidence of the sincere efforts of the Secretary to favor silver to the fullest extent, justified by law. In the direction to Hon. James Gillfillan, Treasurer, to postpone the exchange of silver dollars for greenbacks until after January first, he said, "Silver dollars will be issued as heretofore, in the purchase of silver bullion in payment of coin liabilities, and in the mode pointed out in your order of July nineteenth, as modified."

So rapidly was the refunding of the five-twenty bonds carried on during the first three months of 1879, that it drew a protest from the foreign holders. They were not anxious to surrender a six per cent. security for a four, nor were they inclined to have their six per cent. bonds paid. These holders, through the channel of the State Department, gave notice of their purpose to demand coin in payment for their bonds. This notice was formally brought to the attention of the Secretary of the Treasury by a note of Secretary Evarts, under date of March fourth. The purpose of these London bondholders was to intimidate the Treasury by a threat to cause an exportation of coin from New York to London to pay for the called five-twenty bonds. Secretary Sherman was not

frightened, because he knew the sale of the four per cents. for coin, to London buyers, would supply the coin for the payment of the called bonds. The result was that the sale of the "Fours," about equaled the payment of the "Sixes," and there was no exportation of coin.

On the fourth of March, (1879), Secretary Sherman gave notice that when the outstanding five-twenties, then about \$88,000,000, were covered by subscriptions to the "Fours," the sale of the latter would be suspended for a time, and when they were again put on the market the terms would be less favorable to the purchasers. In expectation of a money stringency, for a short period, immediately before the first of April, the subscriptions for the four per cent. consols had almost ceased. But the first passing in safety, the Treasury was almost overwhelmed with subscriptions. On the morning of the fourth of April, the outstanding five-twenties amounted to \$59,565,700, and on that day the subscriptions amounted to over \$110,000,000. Of course only sufficient of the subscriptions to cover the five-twenties could be accepted, and, with the adjustment of the preferences between bidders, the sale of the "Fours," for the time being, ceased.

Early in the year (1879), it became apparent that within a few months all the five-twenty bonds would be refunded. In anticipation of this event, Congress, on the twenty-fifth day of January, passed a law extending the refunding operations to the ten-forty five per cent. bonds. There were \$195,000,000 of these bonds. The Secretary of the Treasury determined to offer \$150,000,000 of the four per cent. bonds at one-half of one per cent. above par, and with the proceeds refund the five per cent. bonds. Accordingly, on the sixteenth of April, the offer to open subscriptions for \$150,000,000 was published. On the day following, the seventeenth, the Secretary was flooded with subscriptions, one bank alone, the First National, of New York, subscribed for the whole one hundred and fifty million, and in addition subscribed for forty million of the ten dollar refunding certificates. When the subscriptions of the First National Bank was re-

ceived on the seventeenth, more than \$30,000,000 had already, on the same day, been subscribed. The subscription of this bank was accepted for the balance of the bonds advertised, which had not been subscribed for when its order was received, but its order for the refunding certificates was rejected. The law authorizing the ten dollar certificates had been passed by Congress on the recommendation of Secretary Sherman. The act was intended to aid in the refunding of the four per cent. bonds, or any other obligations bearing four per cent., or a higher rate of interest, but the principal object of the Secretary was to afford people of small means an opportunity to invest in the public stock. These certificates were to be sold for lawful money, and the proceeds to be applied to the payment of bonds bearing interest at not less than five per cent. They were to bear four per cent. interest, and be convertible into the four per cent. bonds.

The Treasury operations, in the sale of bonds, during these few days in April, have no parallel in the history of the sales of public stock. Within the brief space of a fortnight, upon the fourth and the seventh of April, more than \$330,000,000 of bonds, bearing four per cent. interest, and a large portion of the amount at a price above par, were subscribed for. This, however, was no more marvelous than the advance of the public credit within a period of two years, under the financial management of Secretary Sherman. But a little more than a year, prior to this time, the Secretary had offered the same four per cent. bonds at par, without success. This offer invited subscriptions from any source—its failure demonstrated how seriously, and how generally confidence in the public securities had been impaired. Confidence was inspired anew by the frankness and honesty of Secretary Sherman. The failure to receive subscriptions, in response to the advertisement of January, 1878, was largely on account of a disposition in Congress to authorize the payment of the matured, or maturing bonds in United States notes. This proposition was strenuously combated by Mr. Sherman. Later, when the question of paying the bonds in silver dollars arose,

the Secretary promptly announced that, in his judgment, it would be public dishonor to pay the bonds in any coin less valuable than gold.

With the refunding of the five per cent. bonds ended the refunding operations, under the administration of Secretary Sherman. He had called and paid, or refunded, at lower interest, every bond of the United States which he was authorized by law to pay, or refund. The aggregate was \$845,-345,950, and the annual interest saved \$14,290,416.50. Between the fourth of March, and June 30th, 1887, \$671,000,-000 of the United States bonds, bearing five and six per cent. interest, would be subject to payment, or refunding, at the option of the Government. Secretary Sherman, in his annual report of December, 1880, urged Congress to enact the necessary legislation to enable the Treasury Department to refund these bonds at a lower rate of interest. Early in the Congress, convening in December, a bill was introduced in the House, authorizing the issue of \$500,000,000 of bonds bearing three and one-half per cent. interest, redeemable at the pleasure of the Government, and \$200,000,000 of notes, payable in ten years, but redeemable after two years, at the pleasure of the Government. The Secretary of the Treasury was authorized to issue any of the bonds, or notes, in exchange for any of the bonds maturing par for par. This bill also provided that only the three-and-a-half per cent. bonds could be used by National banks, to secure circulation. This bill was in substantial accord with the recommendation of the Secretary. The House, however, believing that a bond, bearing a lower rate of interest, could be sold, amended the bill so as to make the interest three per cent., with the same provisions as to National banks. As thus amended, the bill went to the Senate. The Senate finally passed the bill, in substantially the form it came from the House. President Hayes vetoed it, upon the ground that a three per cent. bond was not good security for National bank circulation, and that, under its provisions, there would be no further extension of the National banking system. The failure of this legislation de-

layed, for many months, the refunding of the maturing bonds, and cost the Government a large sum in interest, which would have been saved if the authority to sell bonds had been conferred.

In July, 1879, after refunding operations were ended, and the new order of coin payments established beyond cavil, the Chamber of Commerce of New York paid Secretary Sherman an unusual compliment. This distinguished body of business men had bestowed upon the memory of Alexander Hamilton a like tribute, but none other had received it. On the second of July the Chamber passed a series of resolutions congratulating him upon the success of resumption, and the refunding operations, and requesting that he would give permission and sittings to an artist for a portrait, and that it might be hung upon the walls of the Chamber, beside the picture of Alexander Hamilton. What a marvelous change had been wrought within the brief period of a single year. On the twenty-sixth day of August, 1878, an audience of Republicans at Toledo, Ohio, had insulted and reviled the Secretary, because he was the author of the Resumption Act. On the day mentioned, he went to Toledo to deliver a political address, by appointment of the Republican State Central Committee. A determined effort was made to break up the meeting—it was the purpose of a large portion of the audience to deny him a hearing. When the Secretary was introduced, he was saluted with such cries as: “You are responsible for all the failures in the country,” and “capitalists own you, John Sherman, and you rob the poor widows and orphans to make them rich,” and “how about stealing a President.” He continued for some time amid such confusion, and interruptions, as rendered it doubtful whether he could speak at all—at last he suggested to the audience that he was there to render a full account of what he had done, and that he would be glad to answer any questions which the audience might see fit to ask. His frankness and good nature helped to quiet the disturbance. If he had manifested anger and resentment, the disorderly

elements would have driven him from the platform. Finally, a Mr. Scott, one of the leaders of the opposition, asked the Secretary to explain the difference between fiat money and greenbacks. He answered so promptly, and so aptly, as to turn the tide in his favor. He replied:—

“Fiat money is redeemable nowhere, payable nowhere, payable at no time, and without security, or fixed value; while greenbacks are redeemable in specie at par, at a fixed time and secured by the pledge of the Government.”

A newspaper report of the meeting said:—

“But long before the closing of his discourse it became apparent that John Sherman is able to defend his position, even in the camp of the enemy, while the ungentlemanly acts of the disorganizing element were disgusting to the better element of their party. It also effectually revived the lukewarm Republicans in this community, and it may be well said that John Sherman did what no other man could have done, that is, to go to a place like Toledo, stand before an organized party, which was determined to prevent his speaking, while his own party was lukewarm toward him—it was frequently asserted here ‘John Sherman had not a single friend in the city,’—and during his speech, of two hours, turn the tide in his favor, as was evident he did from the hearty applause he received, as he proceeded in his remarks.”

Within less than a year after this meeting, the Chamber of Commerce of the National metropolis, an organization, not representing capital, or funds, or finance, but business and commerce, confers upon him the honor of an equal place as a financier with Alexander Hamilton, the great master of American finance. But honors were now falling thick upon the Secretary of the Treasury. It was only by the most emphatic and positive refusal to encourage it in any way that he escaped being nominated for Governor by the Republicans of Ohio. It was at this time (1879), and in connection with the gubernatorial nomination, that Mr. Sherman unwittingly coined the phrase “fixing his fences,” which has become a part of the political language of the country. Early in May he made a brief visit to his home, at Mansfield, and during the day preceding the serenade in the evening, he was en-

gaged in looking over his property, and had arranged for the repair of fences, etc.—in the evening a large concourse of his neighbors serenaded him at the hotel, where a reception had been arranged and in response to their greeting, he made a brief speech. Two things were uppermost in his mind, first, that he did not want to be nominated for Governor, and second, that his fences were badly out of repair. So he naturally denied that he came upon any political mission, and stated simply that he was arranging to have his fences mended. There was not the remotest connection, in the mind of the Secretary, between his political fortunes and his neglected fences, but the ready imagination of newspaper men supplied the connection, and since then “fixing the fences” has been the common phrase to express the work of a candidate, in advancing his own candidacy.

From Mansfield, Mr. Sherman went to Columbus, where he was received by officials and citizens, not alone with the formal respect due his station, but with a cordiality of feeling which evinced their high regard for him as a man. A reception was given in his honor by ex-Governor Dennison, and an immense crowd serenaded him at the hotel. In response to the serenade he made a few remarks, in which he took occasion to announce that it was his intention to remain in his present position, until the question of resumption was settled beyond a doubt, and he also expressed the hope that no one would vote for him as a candidate for Governor. He said that it was his first duty to remain where he was, and in that connection he said:—

“I want to convince everybody that the experiment of resumption is a success; that we can resume, that the United States is not bound to have its notes hawked about at a discount, but that a note of the United States may travel about the world, everywhere received as an equal to gold coin, and as good as any note ever issued by any nation, either in ancient or modern times. I want to see that our debt shall be reduced, which will be done through four per cent. bonds. If the present policy prevails, we shall be able to borrow all the money needed for National uses for less than four per cent., perhaps as low as three.”

Mr. Sherman was naturally pleased at the compliment implied in the strong sentiment, manifested by his political brethren in Ohio, for his nomination for Governor—just at this time there was no other way that they could manifest in a concrete form their appreciation of his great services, and the honor he had brought to Ohio—but he was certain that his duty was in another direction, and just before the Ohio Convention, under date of May 15th, he wrote a letter to General Robinson, Chairman of the Republican State Committee, saying, in substance, that under no circumstances could he accept the nomination.

Earlier than this Secretary Sherman had been solicited by his political friends, from many parts of the country, to allow them to use his name as a candidate for the Presidential nomination, the following year. Many newspapers advocated his nomination, upon the ground that he was the logical candidate for the Republican party—that upon the two great issues, National supremacy and honest money, he represented the party, better than any other member of the party, whose name had been, or would be mentioned in connection with the nomination. The Secretary was neither insensible to the honor, nor ignorant of his own deserts, but at this time he did not think it proper, or advisable, to announce, in a public way, his attitude or desire, in respect to the nomination. He wrote a few confidential letters, which indicated that he was not disinclined to be a candidate—one of these letters, written to Hon. John B. Haskins, an old New York friend, was published, but without Mr. Sherman's consent, and contrary to his wishes.

The October, (1879), elections in Ohio resulted in a Republican victory, and the election of a Republican legislature. There was a strong sentiment among the members-elect to elect Mr. Sherman Senator, to succeed Senator Thurman, whose term expired March 4th, 1881. Several Senators and Members proffered their support, but he declined to be a candidate, or allow the use of his name. When Stanley Matthews was elected Senator to succeed Mr. Sherman, General Gar-

field was in line for the promotion, and deserved the honor above any Ohio Republican, but he generously waived the right to avoid a contest, and after that time he was regarded as "slated" for the position, when the Republicans should again secure the legislature. A contest between Sherman and Garfield for the Senatorship would have been a battle royal—it would have been the greatest political contest in the history of Ohio, up to that time, and would have left bitterness of feeling and party dissensions; to avoid these results, and for the party good, Mr. Sherman peremptorily refused to stand for the election. General Garfield was nominated for Senator without opposition, and in due course was elected. But Garfield was destined to greater honors than the Senatorship.



CHAPTER XLV.

SECRETARY SHERMAN A CANDIDATE FOR PRESIDENTIAL NOMINATION.—
GRANT AND BLAINE ALSO CANDIDATES.—SENTIMENT IN OHIO.—
EVENTS PRECEDING THE STATE CONVENTION.—SHERMAN EN-
DORSED.—HIS ENEMIES IN OHIO COMBINED TO DIVIDE THE
DELEGATION.—SHERMAN'S CHANCES FOR THE NOMINATION.

R OSCOE CONKLING, if not the organizer, was the master spirit of a movement to nominate General Grant, for President, in 1880. During a large portion of the administrations of President Grant, the Senator had been the dominant and controlling political force. With his imperious nature, he could not, with any grace, submit to a diminution of his personal influence, or of his Senatorial prerogative. He, therefore, with superb indignation, resented the Civil Service policy inaugurated by President Hayes, and the refusal of the President to permit him to dictate the appointment and removal of Federal officers, in the State of New York. The object of this movement was to nominate Grant, or, failing in that, to nominate some one who would abrogate, or ignore the new political policy as to the Civil Service, and restore the political leaders to their ancient power and prestige. It was a most powerful combination of Republican leaders, and, with the great military chieftain as its candidate, seemed well-nigh invincible. At its head were Senators Conkling, Logan and Cameron, each supported by a powerful following in the three great States, New York, Pennsylvania and Illinois, and each controlling the State organizations, of their respective States.

But more powerful than these were the name and fame of General Grant. He had just returned from a triumphal

journey around the world. He was received back, by the people of his own land, with an acclaim which revived their recollections, and intensified their appreciation of his military achievements. For a brief time, the failures of his administrations were forgotten, and only his splendid military record was remembered. It was when this enthusiasm was at its highest swell that the movement to renominate General Grant, for a third term, was formally and publicly started. The General was not an avowed candidate, nor did he openly give encouragement to the movement for his nomination, but it was well understood that he was willing to be a receptive candidate.

For several months prior to the formal launching of the candidacy of General Grant, two other distinguished members of the Republican party were avowed candidates for the nomination. These were James G. Blaine and John Sherman. Blaine was, by far, the stronger candidate, reckoned from the standpoint of personal popularity. He created an enthusiasm, especially among young men, which was almost unbounded. He was still the "Plumed Knight," and around him still clustered the political chivalry and romance of Col. Ingersoll's brilliant eloquence. He still had the enmity of Senator Conkling, and this, with some blunders of his friends in the preliminaries of the contest, defeated him for the nomination. At the outset, between Blaine and Sherman, there existed the most cordial friendship. Secretary Sherman had a high admiration for General Grant's military achievements, and held toward him very friendly feelings, but yet, for reasons relating to the public good, he would have supported Blaine in preference to Grant. Sherman was interested in having the political policies of the Hayes administration continued. Blaine was not interested in these, because he had disagreed with, and opposed most of these policies, but yet they did agree that the nomination of Grant for a third term menaced the welfare of the Republican party and the country, and that it would probably result in a Democratic victory.

The popular demonstration for Grant at one time assumed

so formidable a shape that Blaine was minded to withdraw, with a view of consolidating the anti-Grant forces upon some new candidate. About this time, he and Secretary Sherman had a conference, in which they freely and fully discussed the situation. Blaine was greatly embarrassed. He could not well permit, if he could prevent, the triumph of Conkling, at the head of the third-term movement. He did not think the good of the country would be subserved by such a disposition. He said that it was very distasteful to him to fight Grant, for his own personal advancement, and advantage, and that he was disposed to give up the contest. John Sherman was not troubled by such considerations. He felt that the third-term movement was bad, and he said, in this conference, that he would fight it to the end, if he had to do so alone. There was talk of one or the other withdrawing, but, no agreement having been arrived at, the candidacy of both before the Chicago Convention became unavoidable.

It was apparent, from the time that the delegates were selected, that the Sherman vote could nominate Blaine. If Blaine's friends had acted generously, and judiciously, Blaine would probably have been nominated by the Sherman delegates. But an ill-advised and unjustifiable movement, on the part of Blaine's friends, in Ohio, to divide the State against Mr. Sherman, destroyed all chance of such a result.

In the States of New York and Pennsylvania, conventions were called in February, and resolutions passed, instructing the delegates of the respective States to the National Convention to vote as a unit upon all questions coming before it. And thus was the question of the Unit Rule added to the intensely interesting question of candidates. The National Convention, of 1876, had attempted to abrogate the Unit Rule by a resolution, directing the National Committee to provide for district representation in the Convention of 1880. The friends of Grant did not regard this as binding, and proceeded in direct disregard of its injunction. It became apparent, soon after the election of the delegates in New York and Pennsylvania, that many of them would not follow

the instructions of the State conventions, but would vote according to the sentiments of their respective districts. This condition, while it broke the solid front of Grant's forces, in the States mentioned, also militated against Mr. Sherman.

The Republican State Convention of Ohio met on the twenty-eighth day of April, (1880), at Columbus. The Convention was genuinely enthusiastic for the candidacy of Secretary Sherman. The delegates, by a substantial majority, would have passed a resolution, instructing the delegates of the State to vote for him, but his friends did not propose, ask, nor desire that the Convention bind, or attempt to bind, the district delegates. Major McKinley was the temporary chairman of the Convention. He spoke eloquently of the achievements of the Republican party, in refunding the public debt, and in the passage and execution of the Resumption Act, and he promised a continuation of wise administration, if the Republican party was continued in power. He referred to the importance of wise action at the approaching National Convention, and, in speaking of Mr. Sherman's candidacy, paid him the following splendid tribute:—

“Among the distinguished names mentioned, we find that of an eminent citizen of our own State, whom, in the past, we have delighted to honor, and whose long and useful public career has made his name and fame world-wide. Four times elected to Congress by his home district, three times chosen to the Senate of the Nation, the Chairman of the Finance Committee in that body, closely identified with all the great public measures in the past twenty-five years, and himself the author of much of the wisest legislation of the country, elevated in 1876, to the important position of Secretary of the Treasury, whose administration of the finances of the Nation has been characterized by the highest skill, and whose matchless achievements in that department have commanded the admiration, and wonder of the civilized world. To him the Nation owes a debt of gratitude, which his elevation to the Presidency would but fitly recognize. Ohio will honor herself in honoring John Sherman, with a hearty and cordial support, at the Chicago Convention.”

General Benjamin Butterworth was made permanent Chairman of the Convention. He made a brief speech, in taking

the chair, at the conclusion of which he spoke eloquently of John Sherman's great public career, and he bespoke for him the solid support of the Ohio delegation. These references to Mr. Sherman were received with that heartiness of applause which left no doubt that it was the sincere desire of a very large majority of the Republicans, of his State, to see him nominated. The Convention elected General Garfield, Governor Foster, ex-Governor Dennison and Warner M. Bateman delegates-at-large; instructed them to vote for Mr. Sherman, and passed the following resolution:—

“Resolved, That the great ability, invaluable services, long experience, full and exalted character, unswerving fidelity to Republican principles, of our distinguished fellow-citizen, John Sherman, entitle him to the honors and confidence of the Republican party of Ohio, and of the country. His matchless skill, and courage as a financier, have mainly contributed to accomplish the invaluable and difficult plan of resumption, and refunding the public debt, and made him the trusted representative, in public life, of the business interests of all classes of the American people. He has been trained, from the beginning in his public life, in advocacy of the rights of man, and no man has been more unfaltering in his demand that the whole power of the Government should be used to protect the colored people of the South, from unlawful violence and unfriendly legislation. And, in view of his services to his country, and his eminent ability as a statesman, we, the Republican party of Ohio, present him to the Republican party of the country, as a fit candidate for President, and respectfully urge upon the Republican Convention, at Chicago, his nomination, and the district delegates are respectfully requested to vote for his nomination.”

It was understood that Mr. Sherman would not permit the use of his name, as a candidate, unless he was supported by the Ohio Republicans, with substantial unanimity. His position was frankly stated in a speech, at Mansfield, on the thirty-first day of March. On that occasion he said:—

“There is one condition, scarcely necessary to state, upon which my candidacy depends, and that is, if the Republicans of Ohio do not fairly and fully, in their Convention, express a preference for me, and support me with substantial unanimity in the National Convention, my name will not be presented to the Convention with my consent.”

The resolution of the State Convention was apparently a frank and unqualified indorsement of his candidacy, and filled the conditions, although there was some opposition to its passage. When the platform was read, by Mr. Warner M. Bateman, of Cincinnati, a delegate from Stark county demanded a separate vote, on the indorsement resolution. The Chair granted the request for a separate vote. The sense of the Convention was taken by a rising vote. Amid great shouting and applause for Sherman, more than three-fourths of the delegates rose to their feet. The audience, packing the Convention Hall, joined in the demonstration for Sherman. A considerable number of delegates voted against the resolution, and there was enthusiastic shouting for Blaine, but, all in all, the indorsement for Mr. Sherman was satisfactory to his friends.

The sequel showed, however, that a few Republican politicians had determined, notwithstanding this action of the supreme political authority of the State, to carry the fight against Mr. Sherman into the district delegations. It was the right of these gentlemen to support Blaine, but their action lacked frankness, and openness. The movement was a secret one, and it was not intended, by those moving in it, that it should be known, prior to the meeting of the Convention, at Chicago, how many of the Ohio delegates would vote against Mr. Sherman. So much, under cover, was it that General Garfield thought it wise to assume that there was no division, and, under date of May 10th, he wrote Mr. Sherman as follows:—

“I think it will be a mistake for us to assume a division in the Ohio delegation. We should meet and act, as though we were of one mind, until those delegates, who are hostile to you, refuse to act with us, and, if we fail to win them over, the separation will be their act, not ours.”

The opposition to Mr. Sherman, in Ohio, was beyond the control of his friends, and originated from these conditions. The first of these was the marvelous popularity of Blaine. Men who had never seen him, felt for him a deep personal

friendship, and his friends were bound to him in a loyalty of service and support, which knew no diminution, and in bonds which seemed indissoluble. He was the object of a boundless admiration. Mr. Sherman was admired, but his support was not founded upon the affection that his followers entertained for him, so much as upon their appreciation of his merits and deserts. He had offended a few influential Republicans of the State, and, when the question of his indorsement was presented to the State and District Conventions, their opportunity came. These men fancied that he had not adequately recognized their political weight and importance, either in appointment to office or in some other way.

Notwithstanding the handicap against him by reason of the fact and discussion of a division in his own State, Mr. Sherman steadily grew in strength as a candidate, as the Convention approached. The general forecast was that the objections to a third term were so formidable as to render the nomination of General Grant improbable, and that the Grant forces would be so thoroughly organized and so controlled, in case he could not be nominated, as to make the nomination of Blaine very doubtful. It was just here that Mr. Sherman seemed to have his opportunity. As a compromise candidate, his chances seemed excellent, dependent, however, upon the support the Ohio delegation would give him. This was the posture of affairs when the Convention met at Chicago.



CHAPTER XLVI.

THE REPUBLICAN NATIONAL CONVENTION OF 1880.—CANDIDATES, GRANT, BLAINE AND SHERMAN.—OPPOSITION TO SHERMAN IN OHIO.—THE STATE CONVENTION.—CONKLING AND GARFIELD.

THE Republican National Convention which assembled in the city of Chicago, on the second day of June, 1880, was the most notable and interesting political assembly in the history of the Republic. In each of the three candidates for the nomination centered the pride and aspirations of millions of people. Grant, Blaine and Sherman, each had gathered and garnered the renown and glory of mighty achievements. Of the three, Grant was *FACILE PRINCEPS*; he wore the double crown of civil and military success. Blaine was not only the popular leader of the Republican party, but to the great mass of his party, he was *PAR EXCELLENCE*, *the* American statesman, a Tribune of the People. He was brilliant, progressive, fearless, magnetic and sympathetic, and for these qualities he was loved, admired, and supported by his followers in a way and to a degree surpassing the love, admiration and support given any other candidate. Sherman, at the head of the Treasury Department, had just completed successfully the greatest financial operations of the century. The history and personnel of the candidates alone attracted to the proceedings and result of the Convention the most intense interest.

Some days before the meeting of the Convention, it was currently reported that the Grant leaders had formed a plan whereby they hoped to force the application of the Unit Rule to the proceedings of the Convention. Senator Don Cameron was Chairman of the Republican National Committee and, as such, it was his duty to call the Convention

to order and conduct the proceedings, until a temporary chairman was elected. The rumor was, and subsequent events proved, that it was well founded, that Cameron, in taking the vote on nominations for temporary chairman, was to hold that the Unit Rule applied and thus in all probability, elect the Grant candidate. Then the temporary chairman was to hold the same rule in the election of a permanent chairman, and in turn the permanent chairman was to apply the rule to all proceedings. The scheme met an insurmountable obstacle in the National Committee itself. A few days before the assembling of the Convention the National Committee met and it was found that a majority of its members were opposed to the nomination of Grant. This disposition of the members of the Committee would not of itself have defeated the plan, because those who formulated it depended for its success upon the power of the chairman to determine, in the first instance, at least, the rules which should govern. It was a situation requiring drastic measures and the majority of the Committee had the courage to apply them.

W. E. Chandler, of New Hampshire, afterwards Cabinet officer and Senator, was the principal spokesman for the majority. He first interrogated the Chairman as to whether such a plan existed and whether it was purposed to carry it out. The Chairman made no answer and refused by his silence to give any assurance on the subject. This failing, another step was taken. A motion was made instructing the Chairman, when a vote was taken in the Convention, upon the election of a temporary chairman, to receive the individual votes of the delegates, notwithstanding the fact that their delegations were under instructions to vote as a unit. This motion Senator Cameron ruled out of order upon the ground that the Committee had no authority to fix rules for the proceedings of the Convention, that it was a matter within the exclusive jurisdiction of the Convention itself. The day was spent in fruitless efforts of the majority to secure from the Chairman some assurance upon the point in question or to entertain and put to a vote the motion referred to. Failing in all this,

there was but one remedy remaining, and that was to depose the Chairman and elect a new one. In this conjuncture of affairs the Committee adjourned for the day, but before adjournment, the majority gave out that in the morning, the Chairman would be deposed and some one elected in accord with the wishes of the majority, unless, in the meantime, the Chairman gave assurance such as had been requested. The Grant leaders took counsel together and concluded that, if they undertook to force through the plan, it would probably fail and that they could nominate Grant without the application of the Unit Rule. So the assurance was given and the leading delegates representing the Blaine and Grant supporters began negotiating for an agreement as to a temporary chairman.

Whether an agreement was reached or not, the result was a selection of Senator George F. Hoar, of Massachusetts, as temporary chairman. Senator Hoar was not favorable to the nomination of either Grant or Blaine, but his selection was a guaranty that the proceedings of the Convention would be conducted with fairness and impartiality.

It became evident very early, and especially after the meeting of the Committee, that Grant was to suffer the disadvantage of having the field against him. The anti-Grant combination, if it could properly be called a combination, did not come together by concert, but it was more a concentration of forces, not so much to subserve the selfish interests of candidates, as it was in obedience to the public sentiment against a third term in the Presidential office. Many Republicans of influence had grown restless under the public domination of the Grant leaders in a number of the States, notably in New York and Pennsylvania, and in this sentiment they saw an opportunity to make a successful stand for local self-government in politics. At least, they could carry their claim for local or district independence to the supreme tribunal of the party, with hope of being sustained in their action. The opposition to a third term was not personal to General Grant,—indeed, if any one could have been nominated

and elected President for a third term, it was General Grant, —but there was a deep seated and sincere belief that it would be violation of an unwritten law, one that had its origin in the wise and patriotic declination of Washington, and one which no party or individual had attempted to violate in nearly a century.

Personal antagonisms and factional differences were to play an important part in the Convention. Senator Conkling was bitterly opposed to the nomination of either Sherman or Blaine. He despised Blaine and he hated Sherman. His control in New York has been materially weakened by the removal of General Arthur and this he charged to Secretary Sherman more than to the President. Between Conkling and Blaine, there had been, for many years, a complete suspension of personal relations. The nomination and election of either meant loss to him in political prestige and personal humiliation.

A large number of delegates from New York, Pennsylvania and Illinois, refused to be bound by the instructions of their respective State conventions and these naturally joined the anti-Grant forces. The leaders in these States regarded this revolt against their authority as a species of treason and those who aided or encouraged it as aiders and abettors of the treason. When the Republicans assembled for the Convention and, in its early proceedings, the great objective point of interest was the formation of the two committees,—rules and credentials. These committees would determine, subject to the approval of the Convention, questions upon which the nomination would probably depend. The district conventions of Illinois had selected eighteen delegates whose seats were contested by eighteen delegates appointed by the State Convention. The district delegates were anti-Grant. There were other delegate contests but these in Illinois attracted the most attention, because the seating of the one or the other would have a more material bearing on the result. The action of the Committee and Convention on rules was, however, the most important. If the Unit Rule obtained, it was probable

that Grant would receive the nomination or his friends would dictate the nomination. If, on the other hand, the right to bind district delegates by instructions of State conventions was denied, the field was open with the chances favoring Blaine.

The State of New York had seventy delegates, nineteen of whom refused to follow instructions. Pennsylvania had fifty-eight delegates, twenty-six of whom refused to follow instructions. Illinois had forty-two delegates, eighteen of whom refused to follow instructions. Here were fifty-eight votes depending upon the rules. If the majority could vote the minority, these fifty-eight votes would be cast for Grant. Mixed with this great issue were personal, political and local considerations and antagonisms which added zest and interest to the Committee proceedings.

The first test of strength came with the election of the chairmen of the committees on rules and credentials. Of the former Committee, General Garfield was elected without opposition. Of the latter, Senator Conger of Michigan, an anti-Grant man, was elected chairman by a vote of twenty-nine to eleven. This foreshadowed the action of the committees. It was correctly construed to mean that the Committee on rules would report against the Unit Rule and that the Committee on credentials would report in favor of a district representation. The majority reports of these committees were presented to the Convention substantially as indicated. There was no sign, however, that the great Senatorial triumvirate,—Conkling, Cameron and Logan, had abated any of their confidence in ultimate success of their plan. The minority from the Committee on rules reported in favor of the Unit Rule and the minority of the committee on credentials reported in favor of the delegates appointed by the State conventions and against district or individual representation. Thus the issue was made and the leaders of the Grant forces promptly began the defense of the minority reports in the Convention. The debate continued through two days amid great excitement. The report on credentials was debated until two

o'clock in the morning of Friday, the third day of the Convention, at which time the majority report as to the Illinois delegates was adopted by a vote of 387 to 353. The debate on the reports of the Committee on rules continued until five o'clock Saturday afternoon, when the report of the majority was adopted. The committee report, as adopted, provided that the rules of the Convention of 1876 should govern, with one material addition. The rules of the prior Convention allowed the chairman of a delegation, in case it was divided, to announce the vote as cast. The Committee recommended and the Convention adopted the following addition:—

“But if exception is taken by any delegate, to the correctness of such announcement by the chairman of his delegation, the president of the Convention shall direct the roll of members of such delegation to be called, and the result shall be recorded in accordance with the votes individually given.”

This gave each delegate the right to announce his own vote if he challenged the correctness of the announcement of the vote by the chairman of his delegation.

The scenes of the Convention were extraordinary. Never before in a popular assembly had the spectators looked upon so many men of National renown and genius. Senator Conkling was the most striking figure in the Convention; his personality had a peculiar fascination. As he would stride down the Convention aisle with a mien and poise which would have done credit to an Olympian god, he was the cynosure of all eyes, the object of immense admiration. By his side, in the New York delegation, sat Chester A. Arthur and George H. Sharpe, the victims of the reform policy of President Hayes. At the head of the Pennsylvania delegation sat Senator Cameron. He did not attract by personal qualities but he had inherited an illustrious name, he had filled high positions with credit, he was the chairman of the Republican National Committee, a resourceful and accomplished politician and a nephew by marriage of John Sherman. Conspicuous among the Illinois delegates was General John A.

Logan; he possessed personal qualities and traits which made him a favorite with the populace. He was respected as a statesman and loved for the patriotism and courage which he had exhibited as a soldier in the Civil War. From the first day, however, General Garfield of Ohio, was the most attractive figure in the Convention. He had never been a political leader nor was he, in very strict sense of the term, a politician. He was a conspicuous champion and representative of the very best thought and principles of the Republican Party; in Congress and before the people, he had defended its course and expounded its principles with a depth of learning, a brilliancy of diction and a power of eloquence which made him, if not the foremost, one of the foremost orators of the party. There was a humanity about him that made all men feel that he was kin to them.

At the head of the Ohio delegation, sat ex-Governor Dennison, one of Ohio's distinguished war governors; by his side was Governor Foster with several terms of honorable service in Congress to his credit and fresh upon him the honor of defeating General Ewing and fiat money in Ohio; not far away sat Major McKinley and General Butterworth, both rising rapidly into National prominence.

During the first four days of the Convention there occurred a number of very interesting incidents. On Friday morning Senator Conkling introduced his resolution to bind each delegate to support the nominees of the Convention. Three delegates from West Virginia, voted against the resolution, otherwise the vote would have been unanimous. Thereupon Conkling presented a resolution the substance of which was to disfranchise the three delegates in the Convention for their refusal to submit to the majority. General Garfield opposed the resolution in a speech that increased the good will of the delegates toward him and, at his request, Senator Conkling withdrew the resolution. The platform, read to the Convention by Edwards Pierrepont of New York, made no reference whatever to the civil service. This omission, if it was not intended as such, would be construed as a disapproval of the

civil service policy of President Hayes. James M. Barker, of Massachusetts, moved to amend by adding the following resolution:—

“The Republican party, adhering to the principles affirmed by the last National Convention, of respect for the constitutional rules governing appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical and complete; to this end it demands the co-operation of the Legislative with the Executive Department of the Government, and that Congress shall so legislate that fitness, ascertained by practical tests, shall admit to the public service.”

It was in the debate on this amendment, that the Hon. Webster Flanagan, of Texas, made a speech that was once celebrated and one phrase of which still sticks in the language. He said that Texas had had quite enough of the civil service policy; that under it, out of 1400 appointments in Texas, only 140 were Republicans; that they were after the offices and he said “What are we up here for any way?” The resolution was adopted notwithstanding the frankness and eloquence of the gentleman from Texas.

An attempt was made at one time to stampede the Convention to Grant. There was long delay in the coming in of the reports of the committees on rules and credentials. A motion was made to require these committees to report,—the delegates were getting somewhat restless. When the reports of the Committee on rules were presented, but before the Convention had an opportunity to act upon them, General Sharpe, of New York, made a motion that the Convention proceed at once to the nominations. General Garfield opposed the motion in a clear and convincing argument and it was defeated. What would have happened if the Convention had decided to go to a ballot without rules can only be conjectured, but it is not improbable that Grant would have been nominated.

The climax of the Convention was reached with its Saturday night session. For four days, more than ten thousand enthusiastic spectators had witnessed, within the narrow

circle of the Exposition Hall, the giants of the Republican party battle for supremacy. This session was set apart for the nominating speeches. The Convention hall was packed, while thousands gathered outside. The States were called in alphabetical order, for nominations for President. The Secretary called Alabama and on down to Maine. When Maine was announced, a mighty roar for Blaine filled the hall. It was taken up outside and echoed along the shores of the lake. James F. Joy of Michigan, nominated Blaine in a speech which did not come up to expectations. The country and the audience remembered Col. Ingersoll's splendid speech nominating Blaine in 1876, and they were disappointed. The roll-call proceeded. The Secretary called Maryland and on down to New York when another great demonstration occurred. It was for Grant. Every eye in the Convention was focused upon a single point, that point was the seat of Senator Conkling. He was to nominate Grant. The great orator had abstained from all speech-making during the proceedings, so that his appearance now would be more impressive. He wisely reserved his presence and his powers for an effort which was to rank as one of the three greatest Convention speeches in the history of the country. It was the supreme moment in the life of a great man. He arose from his seat and stalked to the platform, with a dignity and impressiveness which defy description. It was a masterpiece of acting as his speech was a masterpiece in force and eloquence. The speech itself was as cold as a breath from Labrador. It was not convincing and did not aid Grant's cause farther than to cement his followers into an indissoluble body. It had the effect of cementing the opposition into an indissoluble body so far as Grant's candidacy was concerned.

Conkling's voice was full and deep and the tones perfectly modulated. The god of oratory would not have made a better figure than he possessed. He stood almost in the center of the Convention hall, upon a platform elevated above the heads of the delegates and began: "And when asked what State he hails from." This verse, only the first line of

which is quoted, used by anybody but Conkling, would have sounded ridiculous, but such were his oratorical powers, that the quotation was made with immense effect. From this opening, his speech flowed on like a mighty torrent within banks of ice. He sneered at Blaine and vindictively assailed the policies of Hayes. In reference to Grant he hurled out into the faces of the Convention: "If he is nominated, he will have no policy to enforce against his friends." For twenty-five minutes after he had finished, the Convention was a pandemonium. Flags, banners, hats, coats, umbrellas, everything that was loose in the hall was waving in the air. During this time, thousands of men and women shouted at the top of their voices. No power could stop the demonstration and it was let go until it exhausted itself. It was a magnificent tribute to two American gods,—the god of war and the god of oratory.

The Secretary called on North Carolina, Ohio, and then stopped. Instantly all eyes turned toward the space allotted to the Buckeye delegation. From among the Ohio delegates arose the stalwart wholesome figure of General Garfield. There was nothing prepared or theatrical about his demeanor, he was conscious of an ability to discharge a great duty fittingly and he simply walked to the platform to do it.

His position, following immediately the speech of Conkling, was a most trying one. As Senator Hoar said, in writing about the situation: "There was nothing stimulant or romantic in the plain wisdom of John Sherman. It was like reading a passage from 'Poor Richard's Almanac' after one of the lofty chapters of the Psalms of David." His appearance was greeted and he was stimulated by tremendous cheering and applause. It is no injustice to Mr. Sherman to say that the weight of the demonstration was for Garfield. His qualities were essentially of the popular order and his splendid conduct before the Convention had enhanced the previous good opinion of the audience. His speech, while above all other qualities frank and ingenuous, was a masterpiece of art in its manner of dealing with the situation. If the issue was

to be settled there in the "brilliant circle" of the Convention, under the spell of its inspiring and exciting scenes, Grant or Blaine would be nominated as it then appeared. So he appealed from that "human ocean in a tempest" to the calm level of public opinion, formed "by four millions of Republican firesides, where the thoughtful voters with wives and children about them, with the calm thoughts inspired by love of home and country, with the history of the past, the hopes of the future and reverence for the great men who have adorned and blessed our Nation in days gone by, burning in their hearts, there God prepares the verdict that will determine the wisdom of our work to-night. Not in Chicago, in the heat of June, but at ballot-boxes of the Republic, in the quiet of November, after the silence of deliberative judgment, will this question be settled."

He then proceeded to sketch in beautiful language the achievements of the Republican party and then said:—

"We want a man whose life and opinions embody all the achievements of which I have spoken. We want a man who, standing on a mountain height, sees all the achievements of our past history, and carries in his heart the memory of all its glorious deeds, and who, looking forward, prepares to meet the labor and dangers to come. . . .

I am about to present for your consideration the name of a man who was the comrade and associate and friend of nearly all those noble dead, whose faces look down upon us from these walls to-night, a man who began his career of public service twenty-five years ago, whose first duty was courageously done in the days of peril on the plains of Kansas, when the first red drops of that bloody shower began to fall, which finally swelled into the deluge of war. . . . You ask for his monuments, I point you to twenty-five years of National Statutes. Not one great beneficent statute has been placed on our statute books without his intelligent and powerful aid. . . . The great fiscal affairs of the Nation, and the great business interests of the country, he has guarded and preserved, while executing a law of resumption and effecting its object without a jar and against the false prophecies of one-half the press and all the Democracy of the continent. He has shown himself able to meet with calmness the great emergencies of the Government for twenty-five years. He has trodden the perilous heights of public duty, and against all the shafts of malice has borne his breast unharmed. He has stood in the blaze of that fierce light 'that beats against the throne,'

but its fiercest ray has found no flaw in his armor, no stain on his shield. I do not present him as a better Republican or as a better man, than thousands of others we honor, but I present him for your deliberate consideration. I nominate John Sherman, of Ohio."

This modest ending of Garfield's speech was in striking contrast, in tone and finish, to the splendid imagery and the confidence assumed by Conkling in his peroration: "We have only to listen above the din and look beyond the dust of an hour, to behold the Republican party advancing to victory with its greatest marshal at its head." Sherman's nomination was greeted with tremendous applause. It would be impossible to analyze or trace the demonstration to its antecedents. A generous part of it was for Sherman, a larger part for Garfield, a part in general exultation that an anti-Grant champion had matched the imperial oratory of Conkling, and a part in generous tribute, to the genius and eloquence of the speech.

The nomination of Sherman was seconded by F. C. Winkler, of Wisconsin, and R. B. Elliott, of South Carolina.

Senator George F. Edmunds was nominated by Frederick Billings, of Vermont, and seconded by John E. Sanford, of Massachusetts.

Elihu B. Washburne, of Illinois, was placed in nomination by J. B. Cassoday, of Wisconsin, and the nomination seconded by Augustus Brundages, of Connecticut.

Senator Windom was nominated by E. F. Drake, of Minnesota.

At twelve o'clock Saturday night, the Convention adjourned until ten o'clock Monday. During the hours intervening between the adjournment Saturday night and Monday morning, there were the usual conferences and consultations among the leading men in the various delegations, the usual amount of talk and discussion in the hotel corridors and on the streets, but these were no more than suggestions and predictions,—there was no plan arranged. None was possible at this stage. The situation was rigid. There was no ground upon which the friends of Blaine and Grant could

get together,—there was no desire on the part of either to get together. The folly of Blaine's friends in Ohio had made it impossible for Sherman's friends to support Blaine. Blaine, with two hundred and eighty-four votes, could not be asked, with any reason, to come to Sherman, who had less than a hundred on the first ballot. There was no plan before the first day's balloting. But many an astute politician in the Convention saw, to an extent, the end from the beginning. They saw that the only solution was a compromise candidate. Compromise candidates have frequently been very inconspicuous personages and for very high positions, but the signs did not portend such result in this instance. At just what moment Garfield first considered the possibility of his own nomination cannot be determined, but certainly, after the third day of the Convention, he must have regarded it as probable. He may have conjectured as to the outcome before the Convention assembled, but mental operations are not treason in law or politics. He may have discussed the situation, with himself as a factor, but if he did so, it was only with a few of his closest friends and such discussion did not influence the situation as to Sherman's candidacy.

He was willing to accept the nomination, after an honorable effort to nominate Sherman, but he was loyal to his chief and only contributed to his own nomination, as Mr. Sherman himself said, "by his good conduct in the presence of the Convention."

The Convention met at ten o'clock Monday, and proceeded immediately to a ballot. The first ballot resulted as follows: Grant 304, Blaine 284, Sherman 93, Edmunds 34, Windom 10, and Washburne 30. The balloting continued throughout the day without material change. On the second ballot, W. A. M. Grier, a delegate from Pennsylvania, voted for Garfield, and continued to vote for him to the end.

The balloting continued without substantial change or variation until the thirty-fourth ballot, when Wisconsin cast sixteen votes for Garfield. This indicated the end, but it had not yet come. Another ballot was taken without a nomina-

tion. The situation was one of intense interest. The Grant delegates had come to nominate him or die in the trenches, as it were, and they stood solidly and firmly for their candidate although it was evident that on the next ballot a nomination would be reached. The roll-call for the thirty-sixth ballot began. Connecticut cast eleven of her twelve votes for Garfield, Indiana gave him twenty-nine, Iowa, twenty-two and from that on until the ballot was completed and the nomination made, the Blaine and Sherman votes were almost solidly cast for Garfield. Ohio gave him forty-three out of her forty-four votes, the forty-fourth being Garfield's own vote which was not cast on the last ballot. On Tuesday, June 8th, and as soon as it became apparent that Garfield's nomination was possible, and that it would be a wise solution of the situation, Secretary Sherman telegraphed Governor Dennison as follows:—

WASHINGTON, June 8, 1880.

HONORABLE WILLIAM DENNISON, CONVENTION HALL, CHICAGO, ILL.

Whenever the vote of Ohio will be likely to assure the nomination of Garfield, I appeal to every delegate to vote for him. Let Ohio be solid. Make the same appeal in my name to North Carolina, and every delegate who has voted for me.

JOHN SHERMAN.

This was a very gracious and a very generous act on the part of Mr. Sherman. He had some reasons to believe that Garfield and other delegates ostensibly for him in the Ohio delegation, had not supported his cause with that earnestness which he had a right to expect. He had a right to entertain feelings of chagrin and disappointment at the conduct of some of the Ohio delegates but notwithstanding this he promptly and gracefully surrendered his claims upon the Ohio delegation, when it became apparent that the good of his country and his party would thereby be observed. After the Convention was over, Mr. Sherman for a time, believed that Governor Foster had not supported his candidacy with that earnestness and vigor with which he was capable. Many stories were carried to him, the details of which evinced either

a lack of interest or of political sagacity, on the part of Governor Foster, in the management of Mr. Sherman's candidacy. He was told that delegates and even States were ready to vote for him upon notice from Governor Foster, that their votes were desired, but that no notice was given and the support was lost by the failure of Foster to utilize the opportunities at hand for the advancement of his candidacy. He was told that Foster was contriving to be nominated for Vice-President with Blaine and that in Garfield's nomination he was preparing the way for his own election to the Senate. The newspapers charged that Mr. Sherman's friends in the Ohio delegation, had not been true to him, and they gave details which seemed to sustain the charges but which, after all, only proved that errors of judgment had been committed. These charges drew from Governor Foster a personal letter to Mr. Sherman in which he made a detailed defense of his own conduct and also explained the Convention incidents which seemed to inculcate him. The evidence sort of balanced probabilities and the whole left a painful impression upon the mind of Mr. Sherman and in a letter written to Governor Foster some days after the Convention, and in answer to the communication referred to, he frankly expressed his feelings, but accepted the word of his friend that his conduct had not lacked the element of good faith and loyalty.



CHAPTER XLVII.

NOMINATION OF GARFIELD SATISFACTORY.—FOSTER'S PARODY ON CONKLING'S SPEECH.—MEETING OF PROMINENT REPUBLICANS IN NEW YORK.—CONKLING VISITS GARFIELD AT MENTOR.—THE WARREN MEETING.—SHERMAN DECLINES TO SPEAK IN NEW YORK.—GARFIELD RESIGNS AS SENATOR.—SHERMAN AND FOSTER.—SHERMAN ELECTED SENATOR.

THE nomination of General Garfield was received with satisfaction and enthusiasm by the great majority of the Republican party. For a time after the Convention the Grant men sulked. Conkling assumed an air of magnificent disdain for the result. He would not attend the session of the Convention which nominated for Vice-President his friend and protégé. Grant came down from Galena, the day after Garfield was nominated, and it was believed, and upon reason, that the leaders of his forces had determined to defeat Garfield. They considered it a political necessity. It is true that Senator Conkling moved in the Convention to make the nomination unanimous but that was nothing more than a formal courtesy for his chief and did not indicate that he was satisfied with the result. Governor Foster, Garfield's most intimate friend in Ohio, offended Conkling by a clever parody which he made on the opening lines of the Senator's nominating speech. Governor Foster accompanied Garfield home from Chicago, and at some station on the way, to one of the crowds which thronged the way, he said:—

“And when asked what State he hails from,
Our sole reply shall be:

He comes from Ohio and his name is General G.”

The first weeks of the campaign were discouraging to the Republicans. The attitude of the friends of Grant and Conkling gave the Republican managers great concern. Hancock had been nominated by the Democrats and next to the three great military chieftains he was the most popular soldier of the Civil War. The pivotal point of the contest was New York, with Conkling aiding and abetting the enemy, could Garfield carry the State, was the question. Up to September 1st, the indications were that Hancock would carry New York. It became evident very soon after the Convention that the Republican leaders must get together or lose the election. Many plans were discussed and finally it was decided to call a conference of the leading Republicans of the country, to invite to that conference representatives of every clan of the party, to the end that a full and frank discussion of the situation might be had. The meeting was called for August 5th, in the City of New York. Secretary Sherman, as well as the other candidates, before the Chicago Convention, was invited. Sherman and Blaine attended. Grant and Conkling did not. The only prominent representative of Grant was General Logan. Secretary Sherman was invited to address the meeting and he did so at some length. His speech was largely devoted to the political questions which, in his opinion, should be brought forward in the campaign. General Garfield attended the conference and stopped at the hotel where Conkling made his home, but Conkling did not call on Garfield. Subsequently, Garfield invited Conkling to visit him at his home at Mentor, and after consideration, Conkling came. Just what was said at this conference is not known or, at least, has never been published, but the result is a matter of history. Conkling, after conferring with Grant and his friends, decided to support Garfield. Something was said which induced Conkling to change his position,—what it was is not recorded,—at any rate, he returned to New York believing that Garfield, if elected, would extend to him and his friends, such recognition and consider-

ation as they were entitled to by the rules and customs of politics.

A great meeting was arranged to be held at Warren, Ohio, near Garfield's home, at which Grant presided and Senator Conkling was the Speaker. It was an immense demonstration and filled the Republicans with hope and enthusiasm. It was evident, however, from the trend of events in New York, that it was the purpose of the politicians in control in that State to belittle the Hayes administration, and to elevate General Arthur, the candidate for Vice-President, to the chief position. About this time, Secretary Sherman was invited by the State Committee to speak in New York City. He resented with just indignation, the slight put upon President Hayes, and for the time being, declined to speak. He directed the following letter to the Chairman of the Republican Club from whom the invitation came:—

WASHINGTON, D. C., September 30, 1880.

My Dear Sir:—

Your note, of the seventeenth, inviting me to address the citizens of New York under the auspices of your Club, during the campaign, is received. Please accept my thanks for the courteous manner in which your invitation is expressed.

I will be compelled to remain here until the fourth of October, and then go to Ohio and Indiana to engage in the canvass, which will carry me to the fifteenth or sixteenth of October. I have been urged also to go to Chicago and Milwaukee, and have made promises in several cities in the eastern States, especially in Brooklyn; so that I do not see how it is possible for me to accept your kind invitation. I have also some doubt whether it would be politic to do so. It seems to be the determination of a certain class of Republicans in New York, to ignore or treat with dislike, President Hayes and his administration, and to keep alive the division of opinion as to the removal of Arthur. From my view of the canvass, the strength of our position now is the honesty and success of the administration. While I have no desire to contrast it with President Grant's, yet the contrast would be greatly in favor of President Hayes. The true policy is to raise above these narrow family divisions, and, without disparagement of any Republican, unite in the most active and zealous efforts against the common enemy. Senator Conkling does not seem to have the capacity to do this, and the body of his following seem to sympathize with him. I doubt, therefore,

whether my appearance in New York would not tend to make divisions rather than to heal them, to do harm rather than good. I am so earnestly desirous to succeed in the election, that I would even forego a self-defense to advance the cause.

Very truly yours,

JOHN SHERMAN.

Later, however, Mr. Sherman went to New York and spoke in Cooper Institute.

The Republicans selected as the questions to be given the chief place in the canvass, resumption and National supremacy in the South. The Democrats very largely declined to discuss these questions and sought to win in a campaign of vilification and abuse of candidates. Naturally, on the issues tendered by the Republicans, Secretary Sherman was one of the most, if not the most, prominent Speaker in the campaign. His first speech delivered at Cincinnati, on the thirtieth day of August, was used throughout the contest as the authoritative exposition of the financial questions. He spoke for about ten days following the Cincinnati speech, and then returned to Washington to dispatch some public business requiring his attention. While in Washington, at this time, the Maine election was held and resulted unfavorably to the Republicans. The Maine election was a most fortunate occurrence for the Republicans. It brought the Republican leaders to a realization of the danger that menaced the party. Secretary Sherman kept in close touch with the events of the campaign and, after the result in Maine was known, he wrote General Garfield, that he was exceedingly anxious as to the result of the election. He was especially anxious about Ohio and Indiana and was desirous that both these States should give emphatic Republican majorities in October. He came to Ohio on the first of October and spoke in Ohio and Indiana every week-day until the State elections which were held on the second Tuesday of October. Both these States gave Republican majorities. Ohio giving the Republican candidate for Secretary of State a majority of upwards of thirty thousand, and Indiana giving the Republican candidate for Governor a majority of 6,953. This result was very satisfac-

tory but it by no means decided the contest. New York with her thirty-five electoral votes could still elect Hancock. Before the November election Secretary Sherman spoke in Cooper Institute in New York and also in Illinois, Wisconsin and Connecticut. He was greeted everywhere by immense audiences, eager to welcome and honor the great apostle of honest money. His political addresses in this campaign were quite largely devoted to the discussion of resumption, and the refunding of the public debt,—these being the most important questions, but he also touched upon all the issues of the canvass. He contrasted the aims and policies of the two parties; showed how resumption of specie payments would have been defeated, if the Democratic party had had its way; how prosperity had been delayed by the efforts of the Democrats to foist upon the country a system of irredeemable paper money; how they had attempted to carry southern States by violence and northern States by bribery in the National election of 1876. He replied in unanswerable arguments to the charge that Hayes had not been honestly elected. He pointed out that the great majority of Republicans, himself among this majority, were willing to have the contest settled and determined under, and according to the constitutional rules and practices of years, but that the Democratic majority uniting with a Republican minority, had passed the Electoral Commission Bill and voluntarily submitted to the tribunal created thereby, all questions relating to the dispute. He showed from the evidence that, after the effects of the fraud and violence practiced by the Democrats in South Carolina and Louisiana and Florida had been excluded, Hayes had a majority in each of these disputed States. General Garfield was elected by a majority, in the electoral college, of fifty-nine.

Soon after the nomination of Garfield the question of a successor to Senator Thurman became the subject of interesting political gossip. General Garfield was Senator-elect and in case he was elected President there would be a vacancy. It was understood that Governor Foster would be a candidate and with good prospects of being elected; in fact, there

was but one man in Ohio who could compete with him, with any chance of success. That man was John Sherman. The legislature which elected Garfield Senator had been elected on the same ticket, and at the same time with Governor Foster and naturally the members had a very friendly feeling for him. He was a skillful politician, a very popular man and had at his command the State administration.

Secretary Sherman gave no public intimation of his purpose prior to the Presidential election. It was generally thought that General Garfield, if elected, would invite him to retain his post as Secretary of the Treasury. Blaine, prior to the Chicago convention, had announced in an interview:—

“Should it be my fortune to become President, or should it fall to the lot of any Republican, no one elected could afford to do less than invite Secretary Sherman to remain where he is.”

Soon after the election, the President-elect tendered Blaine the appointment of Secretary of State and it was accepted. It then appeared that Blaine had changed his mind about the wisdom of Mr. Sherman being retained in the Cabinet, and he advised Garfield that to do so, might be construed as an unfriendly discrimination by other members of the Hayes Cabinet. During the summer, after the Chicago Convention, several members of the Ohio legislature had tendered their support to Mr. Sherman for Senator in the event that Garfield was elected. To these he replied simply that he preferred the position of Senator to any other, but that he could not afford to be a candidate unless the election was assured, and that the present conditions were such that he could not determine upon any definite course.

The day after the November election, in reply to a note of congratulation from Mr. Sherman, the President-elect wrote him among other things, saying:—

“I am sure that all our friends agree with me that you have done very important and efficient work in the campaign.”

But nothing was said upon the subject of the Cabinet. Up to the time the President-elect visited Washington, in the

latter part of November, he gave Mr. Sherman no intimation of his purpose, if indeed, he had formed any at this time. The newspapers were busy discussing Cabinet possibilities and it was pretty generally believed that Mr. Sherman would be invited to remain at the head of the Treasury Department. In the meantime, he was urged by many friends in Ohio to become a candidate for the Senate. The situation caused him some embarrassment. While he did not want a place in the new Cabinet, and he did want to be elected Senator, he did not want to embarrass Garfield nor seem to shirk a public duty, if it was thought his services were needed in the Cabinet and he was tendered the position. On the fifteenth day of November, he wrote a letter to Hon. Freeman Thorpe, a member of the legislature, from Ashtabula County, in which he said that if elected Senator, he would accept and serve. He wrote further in this letter:—

“If I enter the canvass I must depend upon my friends, without being able to aid them actively, and with every advantage in the possession of Foster. Such a contest, I see, will open up trouble enough in the politics of Ohio, whatever may be the result. With this explicit statement you will understand best how to proceed.”

He maintained this attitude throughout the contest,—he felt that he could not enter into an unseemly scramble even for so great an office as Senator,—and he left the matter in the hands of his friends to manage as they thought best. Finally, Governor Foster generously withdrew as a candidate, leaving the way unobstructed for Mr. Sherman's return to the Senate. This happy settlement of what promised to be a strenuous contest between Sherman and Foster, and the friends of each, was received by the Republicans of Ohio and the Nation with rejoicing and congratulations.

On Tuesday evening, January 11th, (1881), the Republican Members and Senators of the Ohio Legislature held a caucus in the hall of the House of Representatives, to nominate a candidate for United States Senator to succeed Allen G. Thurman. At the beginning of the session, President-elect

Garfield had transmitted to the legislature a formal declination of the office. The caucus organized by electing James Scott, a representative from Warren county, Chairman, and Senator Sinks of Montgomery, Secretary. For some time prior to the meeting of the caucus, there were rumors that a candidate would be placed in nomination against Mr. Sherman. But no opposition materialized and, upon Mr. Sherman being nominated by General Jones, a member from Delaware County, James Walker, representative from Logan County, and who was expected to nominate either Judge West or Judge Lawrence, moved to make Mr. Sherman's nomination by acclamation. The motion was carried with hearty cheers.

The following telegram was immediately sent to Mr. Sherman, at Washington:—

You have been nominated by acclamation in the Republican caucus. No dissent. Caucus adjourned with three rousing cheers for John Sherman.

JAMES SCOTT, *Chairman*.

JOHN F. SINKS, *Secretary*.

To this Mr. Sherman replied:—

HON. JAMES SCOTT, *Chairman*:—

Please convey to the Republican Members of the two Houses of the General Assembly, my heartfelt thanks for their unanimous nomination for the position of United States Senator. No words can express my grateful obligation to the people of Ohio for their long continued partiality. I can assure you if elected, I will, with diligence and fidelity, do my utmost to discharge the duties assigned me.

JOHN SHERMAN.

Senator Thurman was nominated by the Democratic caucus held January 12th. The vote of the separate Houses was taken on the eighteenth of January, and resulted as follows:—Senate; Sherman, twenty; Thurman, twelve. House; Sherman, sixty-four; Thurman, forty. The next day at noon, the two Houses met in joint session and it appearing that Mr. Sherman had received a majority in both Houses, he was declared elected United States Senator from Ohio for the Constitutional term beginning March 4th, (1881). On the

next day, January 20th, Mr. Sherman arrived in Columbus, to accept the election in person, and to return to the Members and Senators his thanks. Unquestionably this was the happiest moment of John Sherman's public life. He came to the Capital of the State, which had honored him so much, and which he had honored so much to accept a fourth election to the United States Senate. The arduous and perplexing duties of a great Executive office were nearly ended,—duties which he had faithfully discharged and in the discharge of which, he had gained a foremost place among the great financiers of the world; the amenities of the situation were beautiful; Governor Foster had relinquished his chance for the Senate with a manliness and generosity which filled Mr. Sherman's heart with the kindest feelings; the legislature received him with evident good-will; he was about to receive back the great office, which four years before, he had reluctantly given up in response to a call of duty,—his fame was sufficient to satisfy any man,—it then was at its meridian.

As he entered the Senate Chamber where the two Houses had assembled to receive him, he was escorted on one side by Governor Foster, and on the other, by his tried and true friend, ex-Governor Dennison. From the chair, he was introduced by Governor Foster in a speech full of good feeling and congratulations for the State and the Senator-elect. Mr. Sherman responded in a brief speech in which he thanked Governor Foster for his generosity. He complimented Senator Thurman on his honorable service in the Senate, and expressed to the body, his gratitude for the election. He then returned to Washington, to complete his term as Secretary of the Treasury.



CHAPTER XLVIII.

SECRETARY SHERMAN'S LAST REPORT.—GARFIELD CONSULTS SHERMAN ABOUT HIS CABINET APPOINTMENTS.—GARFIELD'S LETTER ABOUT NEW YORK SITUATION.—SHERMAN'S LETTER TO HAYES.—RESIGNATION AS SECRETARY.—THE HAYES ADMINISTRATION.

ON THE assembling of Congress, in December, 1880, Secretary Sherman made his last annual report. His recommendations as to the further refunding of the public debt, and for the suspension of the coinage of the silver dollar, have already been referred to. He estimated that at the end of the fiscal year on June 30th, there would be a surplus of \$50,198,115.52. In view of this and the large reduction which had been made in the annual interest charge, he recommended that all internal revenue taxes be abolished except taxes on bank circulation and on spirits, beer and tobacco. He recommended certain changes in the tariff laws and especially that, so far as practicable, specific duties should be substituted for *ad valorem*.

The remainder of the term of Secretary Sherman was devoid of important or interesting events. As already narrated, he made an effort to have Congress pass a law by which the refunding operations could be continued, but the bill passed, did not meet the approval of the President. At this time, the position of Secretary Sherman was one of great honor and influence. Blaine said: "As Secretary of the Treasury, he has been the success of the age." There was not a flaw in the processes through which resumption had been accomplished, there was not a shadow upon the triumph of the author and executor of the law. He had received the commendation of his party, and of the great mass

of his countrymen, irrespective of party, and as the crowning glory of his work, he had been recommissioned by his State to again represent it in the Senate.

President-elect Garfield consulted Secretary Sherman freely as to the formation of his Cabinet. The Secretary was particularly solicitous that his successor in the Treasury Department should be one in whom the business world would trust, and whose position on the financial questions, would give assurance of a continued stability and prosperity. For this position his mind turned to two men. The first was Senator Windom, of Minnesota. The second was Senator Allison, of Iowa. He suggested to the President-elect, the appointment of one of them, and his preference was for Windom. He discussed with Garfield other names in connection with this position, but his final judgment confirmed his first preference. Two weeks before the inauguration, he wrote the President-elect:—

“Assuming that a western man is to be appointed, my judgment would lead me to select, first, Windom. . . . He is certainly a man of high character, of pleasant manners, free from any political affiliations that would be offensive to you, on good terms with all, yet a man of decision.”

President-elect Garfield was greatly troubled over the New York complications. How to satisfy Senator Conkling, and at the same time, deal fairly and justly with his friends in that State, was a most serious problem, one of the most troublesome that confronted the incoming administration. He consulted Secretary Sherman and asked his advice. In reply to some suggestions on this point General Garfield wrote Mr. Sherman the following letter:—

MENTOR, OHIO, February 18, 1881.

My Dear Sir:—

Yours of the sixteenth inst. is at hand, and I thank you for the valuable suggestions it contains.

The difficulties, of adjusting New York, are still very great. Two solutions have occurred to me since I saw you. One is to appoint Chief-Justice Folger to be Secretary of the Treasury. Senator Harris, of Albany, (a brother of the late U. S. Senator) and a member of the

anti-machine ring in New York, has lately had a long conversation with Judge Folger on the whole subject, and as a result of it, expresses the belief that Judge Folger would be an able, independent and faithful member of the Cabinet. The same testimony comes from many other quarters. He was once assistant Treasurer of New York, and before that, a State Senator, friendly to Conkling, but eight years in a high place on the Bench, is said to have separated him from factional politics and developed great and independent powers. During Senator Conkling's recent visit here, I asked his opinion of Judge Folger. He spoke highly of his abilities, but said he ought not to be removed from the Chief-Justiceship, that it might imperil our control of the Court. I have heard in several ways that the Senator has other reasons for not desiring the appointment of Folger. The one he gives in reference to the Supreme Court, loses much of its force from the fact, that we have now only a majority of one in that Court, and an election must be held next fall, to fill the place of one of the Republican Judges, so that the political majority of the Court will turn upon an election any way, whether Judge Folger remains or not. Please write me immediately what you know of him and how the suggestion strikes you.

The second solution which has occurred to me, is to appoint E. D. Morgan, Postmaster-General. I know he is seventy years of age, and I fear in feeble health, though I heard that of late, he is much better than he was in August. What do you think of that as a solution of the question?

Your suggestions, in regard to Senator Howe, are more to the point, than any I have yet received. I thought of him because he was nearer sound on the financial questions, than most of the western Senators, and I knew him to be an able man, but I lacked the precise information which your letter gave me.

Mrs. Garfield joins me in thanking you for what you have written on the social question. We will hold it in abeyance.

I hope it will be possible for the President and Mrs. Hayes to attend the Inauguration Reception. We have invited them to remain in the White House as long as they may be willing to do so, but they may prefer to accept your invitation. I want them to feel free to take whichever course is most agreeable to them.

Thanking you again for your valuable suggestions,

I am, Very truly yours,

J. A. GARFIELD.

HONORABLE JOHN SHERMAN,
Secretary of Treasury.

There are some strange mutations in politics. Here Garfield seriously considered Judge Folger for a Cabinet position

and decided against his selection because he felt that it would be offensive to Conkling and Arthur. The first Cabinet change made by President Arthur, was to appoint Judge Folger, Secretary of the Treasury, to succeed Secretary Windom.

On the third day of March, Secretary Sherman placed in the hands of the President his resignation as Secretary of the Treasury. The following is a copy:—

WASHINGTON, March 3.

HON. R. B. HAYES, President United States.

My Dear Sir:—Having been elected a Member of the Senate of the United States, I have the honor to resign the office of Secretary of the Treasury, to take effect this day. In thus severing our official relations, I avail myself of the opportunity to express my grateful appreciation and heartfelt thanks for the support and assistance you have uniformly given me in the discharge of the duties of that office. I shall ever cherish with pleasant memories, my friendly association with you, as a member of your Cabinet, and shall follow you in your retirement from your great office, with my best wishes and highest regards.

Very Truly, Your Friend,

JOHN SHERMAN.

This letter is a faithful transcript of the feeling of respect and affection which Secretary Sherman cherished for President Hayes. There was a sympathy and intimacy between them which did not exist between the President and any other members of his Cabinet, although the relations of the President and each of his ministers, were exceptionally cordial and harmonious. Fifteen years after, Secretary Sherman, in writing his "recollections," recorded the following tribute to his old chief:—

"Among the multitude of public men I have met, I have known no one who held a higher sense of his duty to his country, and more faithfully discharged that duty, than President Hayes. He came into his great office with the prejudice of a powerful party against him, caused by a close and disputed election. This was unjust to him, for the decision was made by a tribunal created mainly by its representatives. He went out of the office, at the close of his term with the hearty respect of the American people, and his administration may be placed as among the most beneficial and satisfactory in the history of the Republic."

An almost unanimous public sentiment is now in accord with this opinion of Mr. Sherman. But for many years after its close, by reason of the bitterness and passion engendered in the contest and dispute over his election, the exceptional merits of the administration of President Hayes, were not appreciated or acknowledged. But the people of another generation have studied the achievements and policies of his administration, with less feeling and in a better spirit, than was possible in his own time. When the time finally comes to settle the order in which the administrations of the century just passed, shall stand in merit, it is not improbable that that of General Hayes will stand third and just below the two most illustrious for great deeds. Certainly its financial operations were more difficult and more successful than the financial operations of any administration, save Lincoln's, in the history of the Nation. The Civil Service policy of President Hayes, modestly inaugurated by an executive order, has been extended to every branch of the public service, it has received the sanction of enactment and reënactment by Congress, and is now one of the institutions of the Government. His southern policy was entered upon, contrary to the judgment and against the protest of many of the leaders of the Republican party. He was charged with refusing to execute and enforce the fifteenth amendment, with having committed or abandoned the enfranchised blacks in the South, to a condition worse than slavery, but since this policy was inaugurated in 1877, no one has seriously proposed that the army of the United States should be used to sustain State governments nor in an effort to secure fair elections, although since, the South had been solidified in the interest of one of the political parties by fraud, intimidation and violence.

Secretary Sherman supported President Hayes' southern policy, although he was a strong believer in the supremacy of the National Government, in all matters pertaining to its life and powers. He believed that the National Government had the right, if it saw fit to do so by proper legislation, to take sole control of, or at least make regula-

tions, for all Federal elections. But he did not believe that it was consistent with our theory of government, nor that it was good policy, to use the army to indefinitely sustain State governments, as it had been used during the administration of President Grant. The Federal Government has no constitutional power to interfere in the election of State or local officers, and has no duty to perform in sustaining such governments or officers. It may, upon the request of the legislature of a State, or upon the request of the Executive (the legislature not being in session), interfere by proclamation and force, in case of domestic violence or insurrection, too strong for the State local authorities to suppress. But this is the extent of its general power. Under a statute passed by Congress, but now repealed, the army could be used to keep peace at the polls in Federal elections. Time has fully vindicated President Hayes in dealing as he did, with the complex situation in Louisiana and South Carolina. The canvass of the votes for State and local officers was purely a State function, and there was no constitutional ground upon which the Federal Government could interfere to control the canvassing boards or influence the result in any way.

After a *de facto* Government had been established, and there arose domestic violence too strong for it to control or suppress, an appeal to the Federal Government for aid was proper; and it was in a situation of this character and under the authority granted in the Constitution of the United States for such cases, that President Grant ordered troops to Louisiana and South Carolina to aid the governments of Chamberlain and Packard. But it would be a dangerous policy and an unconstitutional act to undertake, through the use of the army, to sustain for an indefinite period, one State Government against a contesting government.

The resignation of Secretary Sherman took effect on the third of March and his Senatorial term, not beginning until the fourth of March, at noon, there was an interregnum of a few hours during which he was a private citizen. For twenty-six years he had been in the public service. In this time he

had passed from the House to the Senate, and from the Senate into the Cabinet without a break in his official life. These twenty-six years witnessed changes in the organic law, and in the National policy and legislation, more potential for good, than had occurred before in the history of the Nation. When Mr. Sherman entered Congress, in 1855, the powers of the National Government had suffered such diminution, at the hands of the strict constructionists, as to leave only the form of a supreme authority. Most of the essential powers of such an authority were denied by the dominating school of statesmanship. It was not constitutional to pass a tariff law for the protection of free labor; it was not constitutional to appropriate money for great public improvements like the Pacific Railroad; it was not constitutional to interfere to prevent slavery going into the free territories of the Union; there was no National money, except gold and silver and it was not constitutional to create a National currency. The climax was reached five years later, when it was solemnly declared that the National Government had no constitutional power to save its own life when menaced by the act of a sovereign State. In these changes which saved the Nation from being destroyed or becoming insignificant, Mr. Sherman had an important part. Of this period James G. Blaine wrote:—

“No government of modern times has encountered the dangers that beset the United States, or achieved the triumphs wherewith this Nation is crowned.”



CHAPTER XLIX.

GARFIELD INAUGURATED.—REPUBLICANS JUBILANT.—CONKLING'S PROMISE OF FAIR PLAY.—BLAINE SECRETARY OF STATE.—THE APPOINTMENT OF ROBERTSON.—CONKLING AND PLATT RESIGN.—FAIL OF RE-ELECTION.—BONDS.—THE OHIO REPUBLICAN CONVENTION OF 1881.—SHERMAN AT HIS BEST AT HIS HOME IN MANSFIELD.—GARFIELD SHOT.—HIS DEATH AND CHARACTER.—SHERMAN AND GARFIELD COMPARED.

GENERAL GARFIELD was inaugurated President on the fourth day of March, 1881. The ceremonies were of unusual magnificence. The amenities of the occasion were felicitous. At the head of the army, rode General Hancock, the President-elect's opponent in the election. General Garfield's mother sat upon the stand and witnessed the ceremonies which made her son the official head of the Nation. In the whole history of the Republic, no President had entered upon the duties of his great office under circumstances so auspicious for a successful reign, and stronger in the affections of the people than General Garfield. The paroxysm of partisan bitterness attending the canvass had passed. The people were happy in the enjoyment of the prosperity which had come with resumption. There was no cloud upon the title to the office; the contest had been a fair one and the result was universally acquiesced in.

For the Republicans it was a day of jubilation. The party was apparently united, all factionalism seemed to have disappeared. The House was again Republican and the Democratic majority in the Senate had disappeared. The Blaine men rejoiced in the fact that their brilliant leader was to head the new Cabinet. General Arthur, if not vindicated, had been elected Vice-President. Conkling had his promise of fair play.

President Hayes had called a special session of the Senate to meet at noon on the fourth day of March. When this special session convened, Mr. Sherman began the second period of his Senatorial service. When he resigned from the Senate, to become Secretary of the Treasury, he was Chairman of the Finance Committee, but when he returned, his rights as to committee assignments were the same as a new Senator, but by courtesy he was given the second place on this Committee. Senator Morrill had become chairman in Mr. Sherman's absence. He was made Chairman of the Committee on the library and placed on the Committee on rules and privileges and elections. When Mr. Fessenden reëntered the Senate, after serving a brief period in the Cabinet of Lincoln, Mr. Sherman, who by right of seniority had become Chairman of the Finance Committee, generously resigned as Chairman in order that Mr. Fessenden might be restored to the place he had relinquished to take the Cabinet position. There was no reason, however, for Senator Morrill giving up the place to which he had succeeded by long and faithful service, and Mr. Sherman was perfectly content to serve in the position assigned him.

The first business before the Senate was the question of the confirmation of the new Cabinet. The appointments were satisfactory to a majority of the Senate and were promptly confirmed. The appointment of Blaine as Secretary of State was extremely distasteful to Senator Conkling, but he made no objections to his confirmation with the rest of the Cabinet. President Garfield was particularly anxious to avoid being drawn into the factional troubles of the New York Republicans, and to please Senator Conkling, but he was determined not to surrender his independence in appointments. He concluded that the best way to avoid trouble was to recognize both factions in the distribution of patronage. He made a number of New York appointments, at the request of Senator Conkling, and then without consulting the New York Senators, sent the name of Wm. H. Robertson, to the Senate, for Collector of the port of New York. Conkling con-

strued this act of the President as a breach of the promise to treat him fairly and as a personal insult. Robertson had led the bolt of the New York delegates against the instruction for Grant and the Unit Rule. He was a traitor to the New York organization, in Senator Conkling's eyes, and that, in his judgment, was only less heinous than being a traitor to the country. The Senator charged the responsibility for Robertson's appointment, to Blaine, and this made his resentment fierce and implacable. The appointment of Robertson was sent to the Senate on the twenty-third of March. It was referred to the Committee on Commerce of which Senator Conkling was Chairman. The first step toward defeating the nomination was to secure an adverse report from this Committee. Conkling learned very soon, that, if the Committee voted upon the question of confirmation, he would be defeated. Some of the Democratic members of the Committee would have voted with the Chairman simply as a matter of reciprocity and "Senatorial courtesy" but the Republicans, with the exception of Senator Jones, of Nevada, and a majority of the Democratic Senators, would have voted and carried a report recommending confirmation. When this situation presented itself, Conkling refused or neglected to call the Committee together, hoping thus to carry the question over to a subsequent session, or compel the President to withdraw the appointment. A majority of the Committee finally signed a written request to the Chairman, to call the Committee to meet for the transaction of the business before it. This request was ignored or not complied with. About the first of May, after the matter had been pending more than a month, there was an agreement or understanding that the question of the confirmation of Robertson should be postponed until the December session. This was a distinct victory for Conkling over the President and, if allowed to stand, would have practically deprived the President of the power to make any appointment in New York, not recommended or concurred in by the Senior Senator. The contest was to make history.

The President considered the matter a few days and then concluded to withdraw from the Senate, all the New York appointments, except that of Robertson, in order that the issue between the constitutional power of the Executive and the arrogant assumption of Senatorial prerogative, could be made and decided without being complicated with, or influenced by other questions and interests. He, therefore, on May 5th, withdrew all the New York appointments, except that of Robertson. This action cleared the atmosphere and many of the Senators who had been willing to help Conkling, saw the issue they were making and the responsibility they were assuming, and they were unwilling, in the new light thrown upon the situation by the action of the President, to further obstruct the confirmation or to vote against it. Before the vote was taken, however, the New York Senators seeing certain defeat, resigned their seats. On the surface, their resignations had the appearance of a courageous appeal to their constituents for vindication. The whole proceeding was really a farce but staged with spectacular effect.

Before resigning, Senators Conkling and Platt were both assured of reelection. Both Senators, with Vice-President Arthur, went to Albany, where the legislature was in session, and conferred with the Members and Senators and the leading politicians of the State, and upon being satisfied that they would be reelected, they returned to Washington and resigned. Instead of putting their Senatorial seats in jeopardy, they were simply applying for letters of marque and reprisal against the administration. Their resignations were made on the sixteenth of May, and on the eighteenth Robertson was confirmed. Conkling and Platt were then in Albany awaiting reelection, but they learned very soon after getting there, that their position was some way different than it had been when they were United States Senators representing the great State of New York. In the meantime, the Republicans of the legislature had been scrutinizing the situation, and noting with more care the motives which actuated Conkling and Platt. The friends of the President soon rallied in opposition to their

reelection. A number of distinguished New York Republicans were willing to be elected Senators. The contest produced a schism in the Republican party of the State, the followers of Conkling, claiming to be the only genuine Republicans, called themselves "Stalwarts" and in derision they called the supporters of the administration "half-breeds." This schism finally extended to the Republicans outside of New-York and caused a division which continued for several years. The question of the reelection of Conkling and Platt continued doubtful for several weeks but, after the second of July, it was apparent to everybody, except those who were blinded by interest or passion, that they would not be returned to the Senate to war upon a Republican administration. And finally, on the sixteenth day of July, Warner Miller was elected to succeed Platt and on the twenty second of the same month, Elbridge G. Lapham was elected to succeed Conkling.

In this contest between the President and the New York Senators, Senator Sherman heartily supported the President. He had made the same question in connection with the same appointment and had taken the same position in respect to the independence of the Executive, as was now occupied by President Garfield. He had not only sustained President Hayes in his refusal to be dragooned into an action, which his conscience did not approve, but he was largely responsible for the position taken by Hayes. It is probable that this experience somewhat influenced Senator Sherman, but other considerations had much more weight with him. While he believed that the Senate should exercise its constitutional prerogative of advising and consenting to appointments freely and without restraint, he yet regarded the action of Senator Conkling and his Senatorial coadjutors, as extra-constitutional, and an attempt to put such conditions upon the appointing power as would practically deprive the President of a constitutional right. He correctly interpreted their action as an assumption by individual Senators of the right to nominate, if not to appoint, the Federal officers within their respective States,—a right to be exercised for the personal and political

advantage of the Senators. Again Senator Sherman was constitutionally opposed to "boss" rule in politics. He regarded Conkling as the head of a great political machine, a machine which, in the particular instance, was acting contrary to the wishes and sentiments of a large majority of the Republican party of New York.

When the special session of the Senate commenced, it was found that the membership of the body was equally divided between the Republican and Democratic parties, with Senator William Mahone, of Virginia, holding the balance of power. He had always been a Democrat, but owing to local questions which had arisen in his State, in respect to the State debt, party lines had been broken and he did not owe his election to the Democratic organization. He promptly decided to cast his lot with the Republicans, and upon a full vote in the Senate, his vote gave the Republicans a majority. His decision was the occasion of an acrimonious debate which, with the question of the confirmation of Robertson, occupied the attention of the session until its close. The session adjourned on the twentieth of May, without having elected officers of the Senate. The Democratic Senators resorted to dilatory tactics, and, the Republicans being divided upon the question of confirmation of the Collector of New York, nothing was accomplished.

Aside from the political complications, which have already been referred to, the first serious question which confronted the Garfield administration was that of refunding the bonds which were about to mature. Between the inauguration and June 30th, \$673,224,800 of five and six per cent. bonds would become payable at the option of the Government. Of these \$469,651,050 were five per cent. bonds payable after April 30th, and \$203,573,750 were six per cents. and payable after June 30th. There was no law authorizing the Secretary of the Treasury to sell bonds for means to pay this maturing debt. Secretary Sherman had brought the situation to the attention of Congress in his last annual report and Congress had passed a law, but owing to its defects in respect to

National banks, it had not been approved by President Hayes. The surplus revenues were insufficient to pay this large amount of indebtedness and there was no other source from which means could be obtained under the law. As already noticed, Secretary Sherman had recommended the issuing of Treasury notes due in ten years, but payable at the option of the Government after one year at three per cent. interest. His opinion was that these could be sold in sufficient amounts to redeem a considerable portion of the maturing bonds and that they could be paid by an application of the sinking fund. Secretary Windom conferred with Senator Sherman frequently upon the subject of the disposition to be made of the bonds about to become payable. Finally the Secretary conceived the idea of calling certain of the bonds for payment, and then, if the holders so elected, to allow the bonds to continue at three and a half per cent. interest, subject to be paid at the option of the Government. This plan was adopted and a call made for \$200,000,000 of the six per cents. for July 1st. Less than \$25,000,000 were presented for absolute payment and the balance, by agreement with the holders and under certain regulations, were continued at three and one-half per cent. interest. Further calls were made during the summer and the same arrangement made as to a continuation of the bonds at a lower rate of interest and meanwhile a large amount of the maturing debt was paid out of the surplus revenues. The net result of these operations, under the Windom plan, was a saving of over ten millions a year in interest.

The special session of the Senate adjourned on the twentieth of May, and Senator Sherman returned to his home at Mansfield. He looked forward with happy anticipation to a summer of rest and recreation. No one in the public service was better entitled to a respite from the cares and labors of official duties than Senator Sherman. For four years he had borne the heavy burdens of an executive office and through a period of tremendous responsibility. The new duties in the Senate had not yet become onerous, the disap-

pointment of the year before had passed and while he had not wholly abandoned hope of reaching the ultimate object and ambition of his public life, yet he was not disquieted nor disturbed by thoughts as to his future. His mind was perfectly at ease; he had richly earned a holiday and he set about enjoying it.

The Republican State Convention of Ohio was fixed for June 18th, (1881). Governor Foster was a candidate for re-nomination but there was considerable opposition to him and a great deal of dissatisfaction with his course in the National Convention the year before. Senator Sherman's friends were not satisfied that the Governor had supported Sherman's candidacy with that heartiness which should have characterized his support. It was thought by many that Foster labored under the disadvantage of a hope, that if Blaine were nominated, he would be the candidate for Vice-President. It was thought by others that the Governor was not blind to the fact that if Garfield could be nominated and elected, it would leave the Senatorship open with the chances strongly in his favor to fill the vacancy. There were still others, not a large number, perhaps, who permitted their discontent to extend to the Presidency, and who believed that Garfield had committed himself to Foster for Senator as a part of the arrangement by which Garfield was nominated.

As the best means of allaying this discontent, Senator Sherman was selected Chairman of the Convention. It was quite evident that if the Senator could support Foster for re-nomination, there was no sufficient reason why any Republicans could not support him. In his speech, the Senator congratulated Governor Foster on the splendid campaign he had made two years before, as the standard bearer of the party of the State and said that he had done nothing to forfeit his right to the good-will and support of the Ohio Republicans and that he should be renominated. He referred to Secretary Windom's plan to refund the public debt and congratulated him and the administration on its success. He paid a high tribute to President Garfield and predicted that

his administration would be strong, patriotic and wise. He warned the Convention against "boss" rule in politics and said that there was no room in Ohio, or in the country, for a "boss." For a year or two, there had been some incipient signs of the organization of a political machine in Ohio and the Senator felt that this was a good opportunity to give his political brethren some counsel on the subject. Senator Sherman's great ability and his illustrious achievements would have borne the odium of being a party "boss" better than most men who aspire to control in politics, but in his long career, he never attempted to suppress the voice of the rank and file of his party, by the organization of a machine whose counterfeit voice should be uttered as the voice of the party.

For some time before the adjournment of the special session of the Senate, Senator Sherman had been arranging to visit, during the summer, in company with some friends, the Yellowstone country. During June he was busy but still comparatively free from mental labor and the exacting duties of office. In the latter part of the month, he attended a dedicatory ceremony at Kenyon College, and while there he was honored with the degree of Doctor of Laws. His home and grounds at Mansfield had suffered from neglect during the four years he was in the Cabinet and he was agreeably engaged in restoring them to their original beauty. He took great delight in his home in Ohio. The grounds were beautiful, not from any art in laying out and planting, because there was no art in either; in front of the house was a spacious lawn shaded by native trees, many of which had been planted by Mr. Sherman himself; at the rear, covering several acres, were fruit trees and vines in great number and variety; the house stood upon a gentle eminence, but sufficiently high to give a wide view of a beautifully rolling country at the rear and one point of which overlooked a considerable portion of the town; the front lay upon the main residence street of the city, but far enough removed from the business portion to have all the quiet and restful characteristics and advantages of a country residence. It was an ideal

place for one, whose brain was a little fagged, to rest. It was an ideal place for a leader and statesman, such as Senator Sherman was, to hold his simple court. The doors of the home were always open to friends and visitors and its unpretentious hospitalities extended by Mrs. Sherman with the utmost grace and cordiality. And here Mr. Sherman was at his best. He appeared more like a plain country gentleman, whose cares and struggles were all behind, rather than the statesman he was, with battles yet to fight. If, at times, under the pressure of difficult official duties, he seemed to lack cordiality in his intercourse with people, none of that appeared in his home at Mansfield. He never anywhere manifested his feeling by any superfluous demonstration, but here he was kind, courteous and hospitable.

It was while living in this environment, surrounded by these scenes of rural content and peace, that, on the second day of July, Senator Sherman was startled and shocked by the announcement that President Garfield had been shot and perhaps fatally wounded. The awful calamity of the event was for a time somewhat ameliorated by the apparently well founded hope that the President would recover. During this time, Senator Sherman perfected and carried out his plan of visiting the Yellowstone Park. A very agreeable account of his journey through the Yellowstone country is given by himself in his "Recollections," and it would be useless to attempt a description of it here. During this summer, General Sherman visited the Senator at Mansfield and spent several days with him. Many soldiers at Mansfield and in the neighborhood, had served in the General's command, and many of them had been with him in the Atlanta Campaign and on the March to the Sea. They were very anxious to see their old commander and to greet him with a welcome that would do justice to the feelings of love and reverence which they had for the General. It was arranged that on the twenty-first of July, in the evening, the soldiers of the vicinity should visit the General at the Sherman home on West Market Street. At dusk, everything was in readiness; the old Gen-

eral had a Grand Army badge pinned to his breast and Mrs. Sherman had prepared refreshments for the soldier boys. At about eight and a half o'clock, a great throng marched up the drive, to the front of the house and saluted the General who sat upon the veranda. Brief speeches were made by Col. Fink, General Sherman and Senator Sherman, and then the house was thrown open and all invited to enter and partake of the good cheer within.

Whether the President would live or die was in doubt for many weary days and weeks. For a brief period, after he was wounded, the symptoms were favorable and it was generally believed that he would recover. Then came a long period of alternating hope and despair and then the settled gloom in which the Nation waited the certain end; a result long delayed by the marvelous strength and courage of the man. The assassination of Garfield was one of the most monstrous crimes that had been committed in the world's history up to that time, his death the most inexpressibly sad. He loved every rational enjoyment of life, he was happy in the love of wife and children. The early difficulties and embarrassments of his administration were past or passing; at the very moment when he was facing death, he believed that he stood at the threshold of years, the fruits of which would crown with additional luster the achievements of the years that were past. "One moment he stood erect, strong, confident in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence and the grave. . . . What blight and ruin met his anguished eyes? Whose lips may tell what brilliant, broken plans, what baffled, high ambitions; what sundering of strong, warm manhood's friendships; what bitter rending of sweet household ties? Behind him a proud, expectant Nation, a great host of sustaining friends, a cherished and happy mother, wearing the full rich honors of her early toil and tears; the wife of his youth whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair, young daughter; the sturdy sons just springing into

closer companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager rejoicing power to meet all demands. Before him desolation and great darkness! And his soul was not shaken. . . . Masterful in his mortal weakness, he became the center of a Nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine-press alone. With unflinching trust he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet, he heard the voice of God. With simple resignation he bowed to the Divine decree."

The Ohio Democratic State Convention met in Columbus, on the thirteenth day of July, (1881), and nominated John W. Bookwalter for Governor. The platform demanded: "The equality of all citizens before the law, equal taxation, unpolitical legislation and a free and pure ballot, as the cornerstones of free institutions." Before the time for opening the campaign, the condition of the President had become so critical that, by the common consent of the committees of both parties, the usual opening meetings were abandoned. But few meetings were held during the campaign. For a few days before the nineteenth of September, the reports from the bedside of the President gave hope that he might linger for a considerable time. During this period, the Republican State Committee assigned Senator Sherman to speak at Wooster. He filled the appointment and at the close of the meeting, he received word of the President's death.

In the opening of the speech, Senator Sherman said that under the circumstances, he was disinclined to enter into a political discussion, and of the crime which was to result so soon in the death of the President, he said:—

"The President is the victim of a crime committed without excuse or palliation, in a time of profound peace and prosperity, not aimed at him as an individual, but at him as the President of the United States. It was a political crime, made with a view of changing by assassination, the President chosen by you. It has excited throughout the civilized

world the most profound horror. The President has suffered for more than two months and is still suffering, from wounds inflicted by an assassin. His life still hangs by a thread. The anxious inquiry comes up morning, noon, and night, from a whole people, with fervid, earnest prayers for his recovery. Under the shadow of this misfortune, I do not feel like speaking, and I know you do not feel like hearing a political wrangle."

Senator Sherman went immediately to Washington and was present when Arthur took the seat and oath as President of the United States. It was administered by Chief-Justice Waite, attended by Justices Harlan and Matthews, and in the presence of ex-Presidents Grant and Hayes, the Cabinet of the deceased President and a number of Senators and Representatives. The scene and occasion *was* most impressive. As the new President stood in the Vice-President's room in the Capitol and with uplifted hand took the oath, but a few feet away in the rotunda under the great dome, lay the remains of Garfield. As the multitude paid their tribute of love and tears to the dead chief, it immediately turned to do obeisance to the new President. For the second time, the life of the Chief Magistrate of the Nation had been taken by an assassin, and for the second time the reins of government passed to the hands of his constitutional successor and the supreme authority of the law was not questioned or disturbed. The Nation; though it had waited the seemingly certain end, for some days, could hardly appreciate that it had come.

"Can that man be dead, whose spiritual influence is upon his kind?"

And then the consolation came:—

"He lives in glory; and his speaking dust
Has more of life than half its breathing moulds."

Senator Sherman accompanied the funeral cortège to Cleveland and then returned home to Mansfield, to prepare to attend the special session of the Senate which President Arthur had determined to call within a few days.

For many years, Ohio has held a conspicuous place among the statesmen in the service of the National Government. It is no disparagement to any of the many able and distinguished men whom this State has contributed to this service, to say, that among them all, Sherman and Garfield should be assigned to the highest places. Of the thirty men who have represented Ohio in the Senate, none have rendered so important, and none so distinguished service as Senator Sherman, and of the multitude of able men who have represented her in the House, none have displayed the diversity of talent, the breadth of learning, the eloquence of speech or reached the commanding station of Garfield. A comparison of the lives of these two Ohioans would show a sharp contrast at almost every point. In almost every prominent and ruling trait of character, in their mental processes and methods, they were widely dissimilar. Each had an individuality quite the antithesis of the other. Sherman, when his mind was once made up about a public question, very rarely changed it; Garfield's opinions were not stable but liable to fluctuate. Both were indefatigable workers. Sherman sought to exhaust the facts of the proposition, Garfield sought to exhaust its learning. Garfield was more an orator than a statesman, while Sherman was more a statesman than an orator. Scholastic influences impressed the statesmanship of Garfield much more deeply than that of Sherman. For some years, Garfield tried to reconcile the logic of free trade with the indisputable benefits of protection. Sherman was never troubled about whether they agreed or not or could be reconciled. Garfield was a philosophical statesman, Sherman a constructive one. Garfield wrought through the influence which he exerted over his colleagues in the public service, Sherman wrote his knowledge in the statute books. Garfield had supreme faith in the power of a principle, Sherman strove to crystalize principles into law. Blaine said of Garfield:—

“No one of the generation of public men to which he belongs, has contributed so much that will be valuable for future reference. . . . Indeed, if no other authority were accessible, his speeches in the House

of Representatives from December, 1863, to June, 1880, would give a well connected history, and complete defense of the important legislation of the seventeen years that constitute his parliamentary life."

Garfield said of Sherman: "You ask for his monuments. I point you to twenty-five years of National Statutes." Both of them were self-made men in the highest sense of that elastic term. Neither owed his advancement to fortuitous circumstances,—each earned his own way, was the *architect* of his own fortune. Sherman became the leader of his party in the House of Representatives, after four years' service and at the age of thirty-six. Garfield did not reach that position until he was forty-five and after thirteen years of service. Sherman was eight years older than Garfield and served six years in the House and had been two years and some months in the Senate, when Garfield entered the House, in 1863. They never seriously disagreed upon the great questions which came before Congress. Garfield strongly opposed the law, which suspended the right of the Secretary of the Treasury to retire and cancel the greenbacks, while Senator Sherman strongly supported it. Garfield never wavered in his opinion that the five-twenty bonds should be paid in coin, while Senator Sherman, for what he considered the public good, bent a little to the claim that they were payable in greenbacks. None did more, and few as much, in the House of Representatives, as General Garfield, in preventing the repeal of the Resumption Act.



CHAPTER L.

A SPECIAL SESSION OF THE SENATE CALLED BY PRESIDENT ARTHUR.—PUBLIC EXPECTATIONS AS TO HIS ADMINISTRATION.—HIS ATTITUDE TOWARD SENATOR SHERMAN.—CHARGES AGAINST SHERMAN IN TREASURY ADMINISTRATION.—THE MELINE REPORT.—SENATE INVESTIGATION.—SHERMAN'S EXONERATION.—GARFIELD MEMORIAL SERVICES.—BLAINE'S ADDRESS.—FIRST SESSION FORTY-SEVENTH CONGRESS.—REFUNDING.—SHERMAN BILL.—INTERNAL REVENUE.—TARIFF REVISION.—COMMISSION.

FOUR days after the death of President Garfield, his successor called the Senate in special session, to meet on the tenth of October, (1881). The country stood on the tip-toe of expectation, to see what the President would do. The deposed Collector of a port had become the Chief Magistrate of the Nation. A stone rejected by the Reformers has become the corner-stone of the Temple. Would he reverse the policy of his predecessor, and turn the spoils over to the victors? Through his influence, would New York State, the political pivot of the Nation, be turned back into the hands of Conkling and Platt? Would Robertson be removed, whose appointment had caused the deadly split between Garfield and Conkling? Would Senator Sherman be pursued for the part he had taken in the removal of Arthur, would he have any influence with the new administration? It very soon became apparent that the general belief was that Senator Sherman would have no standing with the Arthur administration. They who indulged this belief reasoned that Arthur, now that he had the power, would exercise it to show his resentment, and to have revenge. It was the logic of little minds—of minds that did not, or could not, appreciate that a man lifted to the exalted position of Presi-

dent of a great Republic, must by force of responsibilities, become a broader and greater and better man.

The Senate met on the tenth of October, and temporarily organized by electing Senator Bayard of Delaware, President *pro tempore*. A few days later, Senator David Davis, of Illinois, was elected President *pro tempore*, as already referred to, the Senate at this time, was equally divided between the two parties with Senator Mahone holding the balance of power. About this time it appeared, as the result of an investigation which had been progressing for some time, that during the administration of President Hayes and perhaps ante-dating that, there had existed certain irregularities in the control and disbursement of the contingent fund of the Treasury Department. The Democratic newspapers and others, which were discomfited by the success of resumption, immediately raised the cry that Secretary Sherman had neglected his duties. The whole routine of the Treasury during the administration of the Department by Secretary Sherman had been carried on in the usual way, and with the usual checks and safeguards and under the usual supervision—only the results could be examined by the head of a great department, the infinite details were beyond the power and capacity of any man. It was charged that Senator Sherman had used his influence with Secretary Windom, to have the report of the Committee suppressed lest it should be published, and reflect upon his administration of the Department. Other charges were made, too petty to mention. These attacks were inspired by the belief, already mentioned, that Senator Sherman, being denied the support of the administration, might be greatly weakened as a public man, and perhaps destroyed by these unfounded and petty slanders. An elephant could as readily be killed with a pea-flipper, but it gives an insight into the depth of the resentment which the anti-resumption prophets harbored against Senator Sherman, and how swiftly they availed themselves of any opportunity to do him harm.

It is not a complimentary commentary upon the spirit of fair play which is sometimes ascribed to American journalism

—this attack upon Senator Sherman. He had just completed successfully—so successfully that the fact itself was not capable of even a quibble—the most tremendous financial operations of the age. Treasury statements showed the collection and disbursement of millions of dollars, the payment and refunding of multiplied millions of the public debt, without a cent of loss from defalcation or dishonesty, and yet this marvelous achievement was attempted to be mitigated, and the credit of it destroyed by the petty dereliction of a petty officer in the Department. The enemies of the great Napoleon could as well strip from his name the accumulated trophies of military genius and success by showing that a commissary sergeant had made off with a pair of boots or that a paymaster's clerk had stolen a few francs from the military chest.

Soon after Secretary Windom had assumed charge of the Treasury Department, his attention was called to certain alleged abuses in connection with the disbursement of the contingent fund of the Department, and he appointed certain officers of the Treasury to make an investigation and to report to him the result; this was the report that Senator Sherman was charged with having induced the Secretary to suppress. It was made by James F. Meline and others, and was known as the Meline Report.

At the first opportunity, after the special session commenced, Senator Sherman offered a resolution that the Secretary of the Treasury be directed to transmit to the Senate the report in question, and asked for immediate action on the resolution. Senator Edmunds objected to the consideration of the resolution, on the ground that it was unnecessary, and under his objection it went over. Four days later, on the eighteenth of October, he again called up the resolution, and it was objected that the Senate had nothing to do with a report of certain officials of the Treasury Department. Again on the twenty-second he called it up, and stated that certain charges had been made which reflected upon him, not only as Secretary of the Treasury, but as a Senator, and he desired

that the body should make a full and careful investigation into the charges with a view of determining whether they were true or not. In connection with his remarks, the Senator read from the newspaper, articles in which the charges appeared. The resolution passed and in response to its request, the report was sent to the Senate.

On the twenty-sixth of October, Senator Sherman introduced a resolution, directing the Committee on Appropriations to investigate the accounts for the expenditure of appropriations for contingent or other expenses of the several Executive departments. This was passed and the Committee on Appropriations, with Senator Cockrell, of Missouri, a Democrat, as chairman, made a thorough investigation of all the matters in connection with the disbursement of the contingent fund of the Treasury, while Senator Sherman was Secretary, and in their report, completely exonerated him from any knowledge of, or responsibility for, the misappropriation of the fund in question.

President Arthur was placed in a position of great difficulty and embarrassment, by having thrust upon him the duties of the Presidency under the peculiar circumstances which surrounded him at the death of Garfield. In the conflict between Conkling and the President, he had been as hostile to the latter as Conkling, although his disposition and nature did not permit of that bitterness of personal feeling which Conkling exhibited toward his enemies. In the position of Vice-President, he was committed to Conkling's side of the controversy and would have contributed, to the extent of his power, to bring it success, if he had continued in the office to which he was elected. When he became President, Conkling requested the removal of Robertson as Collector of New York. Here was the parting of the ways. If this step were taken, it reopened the old controversy—entangling him in an undignified conflict which would probably last throughout his administration. He must choose between personal friendship and public duty; he chose the latter and refused to remove Robertson. This refusal des-

stroyed the friendly relations between him and Conkling, and from that time until his death, in 1886, they had no personal intercourse except that Conkling directed the President a curt note of declination when he was appointed and confirmed a Justice of the Supreme Court. President Arthur treated Senator Sherman with the same consideration that he extended to other Senators, and he never exhibited the slightest evidence that he treasured resentment against him. The President said in closing his first annual message to Congress:—

“Deeply impressed with the gravity of the responsibilities, which have been so unexpectedly devolved upon me, it will be my constant purpose to co-operate with you in such measures as will promote the glory of the Country and the prosperity of its people.”

In the main, the administration of President Arthur was kept in the course marked out in the message. He had two or three serious disagreements with Congress, but in the whole, he acted in harmony with his party, and retired with the good-will of the country, an achievement which no other Vice-President succeeding to the office of President had accomplished in the history of the country.

The first regular session of the Forty-seventh Congress assembled on the fifth day of December, (1881). The House of Representatives promptly organized by the election of J. Warren Keifer, of Ohio, as Speaker. The President's message was a surprisingly able document. The President had had no training or experience in the high walks of statesmanship. He had shown political talent of a high order, but the country was wholly unprepared for the comprehensive grasp of public affairs which he exhibited in this message.

The President recommended the early retirement of the silver certificates and the repeal of the law requiring a minimum amount of silver bullion to be coined into standard dollars each month; the repeal of all internal revenue taxes, except upon tobacco, distilled spirits, fermented liquors, and the special tax upon manufacturers of and dealers in such

articles; he recommended a revision of the tariff laws and approved the suggestion that it be done by a commission. He called attention to the report of the Secretary which showed a surplus revenue of over \$100,000,000 for the fiscal year. This had been applied to the purchase of bonds for the sinking fund and in paying other matured bonds. The estimates indicated a surplus for the fiscal year, ending June 30th, 1882, of \$130,000,000. In view of this condition the President recommended a reduction in taxation. The President called attention to another very satisfactory condition. From 1862 to 1879, inclusive, the exports of specie had each year exceeded the imports. For the fiscal year, ending June 30th, 1880, the imports of coin and bullion had exceeded the exports by \$75,000,000, and for the fiscal year, ending June 30th, 1881, \$91,000,000.

Three distinctively important matters engaged Congress during this first session. The first duty was to take suitable action upon the death of President Garfield. On the first day of the session, Senator Sherman introduced in the Senate a resolution to appoint a Committee of eight to join a like committee of the House, the joint-body to propose some fitting form of memorial service upon the event of the death of President Garfield. On the same day, William McKinley Jr., of Ohio, introduced in the House, a resolution of similar import. The resolutions passed, and the committees were appointed, and proposed to the respective houses the following memorial service:—

“WHEREAS, the melancholy event of the violent and tragic death of James Abram Garfield, late President of the United States, having occurred during the recess of Congress, and the two Houses sharing in the general grief and desiring to manifest their sensibility upon the occasion of the public bereavement:

“*Therefore, be it resolved*, By the House of Representatives (the Senate concurring), that the two Houses of Congress will assemble in the Hall of the House of Representatives, on a day and hour to be fixed and announced by the joint committee, and that in the presence of the two Houses, they assembled, an address upon the life and character of James Abram Garfield, late President of the United States, be

pronounced by Hon. James G. Blaine; and that the President of the Senate *pro tempore* and the Speaker of the House of Representatives be requested to invite the President and ex-Presidents of the United States, the heads of the several Departments, the Judges of Supreme Court, the Representatives of the foreign governments near the Government, the Governors of the several States, the General of the Army and the Admiral of the Navy, and such officers of the Army and Navy as have received the thanks of Congress, who may then be at the seat of Government, to be present on the occasion.

"And be it further resolved, That the President of the United States be requested to transmit a copy of these resolutions to Mrs. Lucretia R. Garfield, and to assure her of the profound sympathy of the two Houses of Congress for her deep personal affliction, and the sincere condolence for the late National bereavement."

Senator Sherman was Chairman of the Senate Committee and Major McKinley, Chairman of the House Committee. The time for the Memorial Ceremonies was finally fixed for the twenty-seventh day of February. The day arrived when the nations, through their representatives, were to meet in solemn protest against the murder of one of the Rulers of the World, to cry out against the "deep damnation of his taking off." The day was brilliant with sunshine—it made bright and beautiful the Hall of the House—the theatre of Garfield's greatest triumphs in life—to be the scene of his great triumph in death. The Houses were to convene at twelve o'clock, noon. Long before the time, the galleries were filled to their full capacity and on the floor were gathered many of the Members awaiting the hour. Appropriately the ladies had dressed in black, and along the wide stretches of the galleries, the contrast of white faces and sombre habiliments showed somewhat painfully. The Hall of the House had been the scene of many notable gatherings, both before and since, but none ever was so impressive as this.

Over the Speaker's stand hung a painting of the dead President. In the lobby back of the Speaker's stand, concealed by flowers and draperies, the Marine Band, in partially suppressed notes, played appropriate music. As the hour

approached, all eyes were fixed upon the main door of the House where the notables were to enter. The first three to enter, were men who held no official station, and were not adorned by any title, and yet they were better known than most of the men who bore titles, or wore uniforms, or held office. The first was W. W. Corcoran, the philanthropist and patron of art; the second, Cyrus W. Field, whose enterprise had laid the Atlantic cable, and third, the great American historian, George Bancroft. General Sherman, the General of the Army, accompanied by General Sheridan, came next, and immediately behind, in splendid uniform, came General Hancock. The Diplomatic Corps, splendid in gold lace and decorations, followed, and were seated in the places reserved for the representation of foreign governments.

On the stroke of twelve, the Senate appeared with President *pro tempore*, Davis at its head, and immediately following, came the Chief-Justice and the Justices in their somber robes of office. The eager audience still waited the appearance of the President. The delay was only momentary, as almost before the Supreme Court had turned aside to their seats, the tall form of Senator Sherman appeared at the door, and by his side, with his hand upon the Senator's arm, was President Arthur. On the left side of the President, was Major McKinley. They walked slowly down the aisle, to the place assigned the President. Directly behind came the Cabinet,—at their head Secretary of State, Frelinghuysen. When the President was seated, Sherman and McKinley immediately retired. The audience still waited in somewhat strained expectancy, but in proud and happy anticipation. Again the tall form of Senator Sherman appeared at the door of the House, and by his side, looking somewhat pale, but strong and rugged and with the dignity of the uncrowned king that he was, walked James G. Blaine, the premier and friend of the dead President. Major McKinley was at his left hand and thus they passed down the main aisle, and to the Speaker's desk. It is probable that no such combination of men and event will ever again be witnessed in the Republic.

Blaine was greeted with tremendous applause, and yet somewhat subdued by the solemn purposes of the hour. Blaine, Sherman, and McKinley, what achievements and possibilities were contained in the personalities and careers of these three men—what bitter disappointments, and for one, an end as cruel and pathetic, as that which brought this marvelous assembly together.

Mr. Blaine began the tribute to his friend amid a hush and silence most impressive. At first his voice was low and somewhat indistinct, but gradually as he became warmed and inspired by the subject, and the faces of his great audience, his voice rang out with a force and vigor that filled the great Hall of the House. His auditors shuddered as he read Webster's picture of a murderer—"a decorous smooth-faced, bloodless demon, a fiend in the ordinary display and development of his character." The oration was beautiful, tender and true. It has been printed so often and referred to so frequently and is understood so thoroughly, that it is useless to dwell upon it longer. It may be added, however, that for beauty of imagery, felicity of language, and tenderness of feeling, the closing periods of this address have never been excelled, if ever equaled in American oratory.

The second important matter which engaged this session of Congress was a measure to refund the public debt at a lower rate of interest. Secretary Windom's plan of continuing matured bonds, by an agreement with the holders, had worked excellently, but it lacked the authority of express statute, and, at best, was only a temporary expedient, and had been adopted because of the failure of the Refunding Bill of the last Congress to become a law. The bonds continued under the agreement at three and a half per cent. interest, were subject to payment at any time at the option of the Government. It was thought best that the further operations should be regulated by express statute, rather than that they should be carried on under regulations of the Treasury Department. It was evident at this time, that a three per cent. bond could be floated. On the first day of the session, viz., on the fifth

day of December, (1881), Senator Sherman introduced a re-funding bill by the terms of which the Secretary of the Treasury was authorized to issue and sell three per cent. bonds and with the proceeds pay any of the bonds outstanding and subject to call and payment. The bill was referred to the Finance Committee of the Senate and reported back by Mr. Sherman, with amendments, and its passage recommended. The bill met some opposition and during the debate Senator Sherman was charged with the defeat of the three per cent. bill of the previous Congress—it was charged that President Hayes had vetoed it upon the advice of Secretary Sherman. Senator Sherman explained that President Hayes had approved the three per cent. bond feature of the bill, and had vetoed the measure solely upon objections to the National bank provisions. The bill passed the Senate after a somewhat lengthy debate, by a vote of thirty-eight yeas to eighteen nays. The bill was referred in the House to the Committee of Ways and Means. The Committee never reported the bill back, but in a bill applying to National banks, it recommended the enactment of a section which authorized the Secretary of the Treasury to issue three per cent. registered bonds, in exchange for the three and a half per cent. bonds. This was simply refunding in a little different form, that proposed by the bill of Senator Sherman. The law, however, accomplished the same object, and under it during the next two years, over \$300,000,000 of the three and a half per cent. debt was converted or refunded at three per cent.

The third important matter, coming before the session of Congress, was the proposition to revise the tariff laws. President Arthur in his annual message had recommended and it had been apparent for some time, that a judicious reduction of the revenues of the Government should be made. The surplus revenue amounted, for 1881, to \$100,069,000, and the surplus for the fiscal year, ending June 30th, 1882, was estimated to amount to \$130,000,000. At this rate the whole public debt could be paid off in a few years. The interest charge had been decreased many millions annually by the

refunding of the bonds. It was not deemed advisable by those whose judgment was entitled to the greatest weight to extinguish the debt as rapidly as it was being done. The question of security for the National bank circulation, in view of the rapid reduction, was one that presented itself. It was quite evident that no other security for this circulation would be acceptable, or authorized save the bonds of the Government. If the debt continued to decrease at the rate it had been decreasing, it would only be a few years until the bonds would be paid and this would necessitate the retirement of the National bank notes and thereby cause a ruinous contraction of the currency. There was no probability that any satisfactory plan could be hit on to supply the deficiency—a substantial increase of the United States notes was out of the question—so the question presented itself, as to whether the policy which produced a great surplus each year, should be continued, or whether the revenue should be reduced.

But that which influenced Congress most, was the popular demand for a reduction of taxation. There was a surplus of more than twenty-five per cent. of the whole amount of the revenue collected—this remained after paying all the annual charges and demands on the Treasury. The sinking fund was fully provided for each year. A large reduction of the surplus of revenue could be made by repealing internal revenue taxes, but not sufficient, as the whole amount of internal revenue taxes amounted to only \$146,000,000, at that time. The amount raised by tariff duties was upwards of \$220,000,000. It was apparent, therefore, that the tariff schedules must be overhauled and a considerable reduction made in customs taxation.

Aside from the revenue features of the matter, and for other reasons, a revision of the tariff laws was desirable. The Morrill Tariff law passed at the beginning of the war was still on the statute books. It had been amended in some important particulars, as in the wool schedules in 1867, but in the main, it was as it had passed. Time and changing conditions had changed the effect and efficiency of many of

its provisions and to such an extent, that a revision or amendment was very much needed.

No wise system of Federal taxation can be devised unless it deals with both customs and excise duties. Especially is this true in respect to protective duties. The object of a protective tariff is to increase to the importer the cost of a foreign product to a point where he cannot, and make a profit, undersell a domestic product of like character. Upon many articles, the internal revenue tax is an important item of cost and might, and would, if not carefully adjusted, wholly annul the effect of protective duties. At the beginning of this first session of the Forty-seventh Congress, Judge Kelley, Chairman of the Committee of Ways and Means, reported a bill from his Committee to reduce internal revenue taxes. This bill passed the House and in the Senate was referred to the Finance Committee. It was reported with some amendments, but subsequently recommitted for the purpose of adding to it some tariff legislation, relative to sugar, cotton ties and some other articles. The bill was then reported to the Senate and started on its passage. It met strenuous opposition. An attempt was made by Senator Beck, of Kentucky, to amend into this bill a general reduction of tariff duties.

Senator Sherman was very active in efforts to secure the passage of the bill, he was especially anxious that as many of the obnoxious provisions of the excise law should be repealed as possible. During the war and for years after, and so long as it was believed that the Government needed the revenue, the people had borne, without serious complaint, the burdens and annoyances of internal revenue taxation, but now, he felt they must be repealed, or the people would have just cause for complaint. Toward the end of the session, when the prospect of passing the bill was not bright, he said in one of his numerous speeches which he made in the debate:—

“If this Congress shall adjourn, whether the weather be hot or cold, without a reduction of the taxes now imposed upon the people, it will

have been derelict in the highest duty. There is no sentiment in this country stronger now than that Congress has neglected its duty thus far in not repealing taxes that are obnoxious to the people, and unnecessary for the public uses; and if we should still neglect that duty, we should be properly held responsible by our constituents."

The session ended on the eighth of August, without reaching a vote on the bill.

At this session, however, a bill was passed creating a commission of nine members to take evidence, investigate, and to report a general tariff revision. At this time, it was believed that a commission fittingly constituted in respect to talents and experience, would be a better instrumentality through which to revise the tariff than Congress. The President made most judicious appointments on the Commission—his endeavor was to secure a combination, which, in its individual members, would represent the highest talent, and the largest experience available, outside of Congress. He especially aimed to avoid a political commission.

The failure to reduce taxes at this session proved disastrous to the Republicans. As predicted by Senator Sherman, the country held the Republican party responsible for the failure, although Democratic opposition had been the cause. At the election in 1880, the Republicans had elected fifteen out of the twenty members of the Ohio delegation in Congress—In the election in 1882, the Democrats elected thirteen out of the twenty-one members. The Democrats carried the House of Representatives by a large majority.



CHAPTER LI.

THE SECOND SESSION OF THE FORTY-SEVENTH CONGRESS.—PRESIDENT ARTHUR'S SECOND ANNUAL MESSAGE.—THE REPORT OF THE TARIFF COMMISSION.—THE SENATE FINANCE COMMITTEE MAKES A NEW BILL.—PREROGATIVE OF SENATE AND HOUSE.—THE TARIFF LAW.—WOOL DUTIES.—CIVIL SERVICE LAW.—LIQUOR LEGISLATION IN OHIO.—OHIO CAMPAIGN OF 1883.—SHERMAN URGED TO RUN FOR GOVERNOR.—FORAKER NOMINATED.—REPUBLICAN DEFEAT.—JUDGE HOADLY ELECTED GOVERNOR WITH A DEMOCRATIC LEGISLATURE.—SENATORIAL CONTEST.—PAYNE ELECTED.—FRAUD CHARGED.—SENATOR SHERMAN ASKS SENATE TO INVESTIGATE.

THE second session of the Forty-seventh Congress convened on the fifth day of December (1882). The political situation was very similar to that which confronted the Republican party when the second session of the Forty-third Congress assembled. The elections of the previous fall had changed the political complexion of the House of Representatives. The penalty of procrastination had fallen upon the Republican party, but, as in the Forty-third Congress, if the loss of power could not be avoided, there was yet time to perform the duty. In 1874, the failure to enact a law for the resumption of specie payments lost the House of Representatives to the Republicans—in 1882, they lost the House because Congress had failed to reduce taxation.

President Arthur's second annual message was transmitted to Congress on the first day of the session. It was a wise and conservative document. It laid before the Houses, in fitting terms, the happenings of the year, in reference to the country's relations with foreign governments. The President reiterated the recommendations of his first annual message in

respect to silver, taxation, and tariff. He called attention to the fact that out of a total coinage of standard silver dollars of \$128,000,000 only \$35,000,000 were in circulation, the balance were in the vaults of the Treasury and recommended that their coinage be suspended.

The central idea, of the message, however, was found in that portion which related to the reduction of taxation. That was the imperative need of the time. In his first annual message, the President had recommended the repeal of all internal revenue taxes, except the taxes on tobacco, distilled spirits, fermented liquors and the special tax upon the manufacturers of and dealers in such articles. He now recommended the abolition of all internal revenue taxes except on distilled spirits. The occasion for this is found in the enormous increase in the surplus revenue over the previous fiscal year. The surplus in 1881 had been a little over a hundred million now it had reached one hundred and forty-five millions. He also recommended a revision of the tariff and a reduction in the amount of revenue derived from customs duties, but he said:—

“I am far from advising the abandonment of the policy of so discriminating in the adjustment of details as to afford aid and protection to American labor.”

He called attention to the report of the Tariff Commission and said that it would be laid before Congress at the beginning of the session.

The Commission's report embraced a vast amount of evidence taken in the investigation which it had pursued and also schedules with rates of duty for a tariff law. The Commission had performed its duty without being warped by prejudice or controlled by interest—it was now left with the respective Houses of Congress to enact the Commission Bill, amend it, or throw it aside. The only certain test to determine the effect of a tariff law upon business and commerce and its efficacy in producing revenue, is to try it for a considerable period, long enough to get the average of conditions. The Commission Bill was never tested so there are no

means at hand to test its wisdom, but it was the opinion of many, based upon the experience of the years following, that it would have been far better for the country if Congress had simply enacted the Commission Bill as it was submitted. Mr. Sherman said:—

“ If the Committee had embodied in this bill, the recommendations of the Tariff Commission, including the schedules without amendment or change, the tariff would have been settled for years. Unfortunately this was not done, but the schedules prescribing the rates of duty and their classification were so radically changed by the Committee, that the scheme of the Tariff Commissions was practically defeated.”

The Tariff law of 1883 was practically made by the Finance Committee of the Senate, as has been every Tariff law since then. The Constitution provides that all revenue bills shall originate in the House of Representatives but this in no way interferes with the Senate in making tariff laws. Sometimes the upper House has waited patiently until a revenue bill arrived from the lower House and then would neatly clip off its head and give it a Senatorial body; at other times, it would have a body ready before the House bill arrived. This encroachment of the Senate upon the Constitutional right of the House, has been successfully carried on for years, under the guise of amendment. It is almost impossible to draw a line and say, on this side lies the right to amend, and beyond the line will be making a new bill. It is unfortunate that the Senate has arrogated to itself, under the right to “concur with amendments” the power to make an entirely new tariff bill—unfortunate because the Senate is much more under the influence of great interests than the House. The influence is not a corrupt one but it is none the less powerful on that account.

A tariff bill was passed on the third of March, and approved by the President and on the fourth day the session adjourned. The law was radically deficient in not affording adequate protection to wool and to several of the metal products. Since 1867, under a law, the passage of which had been secured

by Senator Sherman, wool had been adequately protected and as a result, the wool industry had been carried on with profit. Under the Act of 1867, clothing and combing wools had borne an average duty of about twelve and one-half cents per pound. Under the law of 1883, the same character of wool was admitted at a duty of ten cents per pound. The result was that the wool industry languished. But the effect of the reduction was anticipated by Senator Sherman and he used his best endeavors to have the duties, which were inadequate to afford protection raised, and especially, the duties on wool. Ohio was one of the largest wool producing States, and its agricultural population intensely interested in maintaining the rates of 1867. The woolen manufacturers of New England were able to bring a preponderating influence to bear upon the Finance Committee of the Senate. On this Committee were Senators Morrill, of Vermont, and Aldrich, of Rhode Island, the former chairman of the Committee and the latter a most influential member of the Committee, and an expert upon all questions relating to tariffs. Naturally they were deeply impressed with the claims and demands of their constituents, the woolen manufacturers, for cheaper raw material and they were able to carry the bill, with an average reduction of two cents per pound, on clothing and combing wools. Senator Sherman considered very seriously the question whether he should vote for the measure (by voting with the Democrats he could have defeated it), he weighed carefully the benefits which would accrue to the country from the reduction of taxation, against the losses which the interests inadequately protected would probably sustain, and he came to the conclusion that the chief duty was to vote to reduce taxation, and he voted for the bill but with many protests against the injustice which it would do to the wool growers. The law injured the wool interests most seriously. The wool product of the United States, during the last three years of the law of 1867, was as follows: 1881—290,000,000 pounds; 1882—300,000,000 pounds; 1883—320,000,000 pounds, an increase of ten and one-half per cent in three

years. In 1889, at the end of the sixth year of the law of 1883, the wool product of the United States was 295,779,000 pounds, a decrease of 6 per cent. in six years. The loss was much greater than indicated by the per centum of decrease, because under a continuation of the rates of 1867, the total product would, by the end of 1889, probably have reached 375,000,000 pounds.

There was passed, during this second session of the Forty-seventh Congress, the Civil Service law. Its author was Senator George H. Pendleton, of Ohio, and to him is due the chief credit of the enactment. Prior to the passage of this law, whatever of Civil Service regulations existed, were, principally, in form of Executive orders and they together with certain precedents and practices constituted all there was of Civil Service regulations in the Government of the United States. This law brought forward by Senator Pendleton and passed at this session, was the first attempt of Congress to enact and apply to appointments to office, certain fixed and unvarying rules. It was the first attempt to create a system of Civil Service—a system, which, when once applied, would not be suspended or enforced as the administration might or might not favor the system. The vote upon the bill in both Houses exhibited a unanimity of sentiment which did not exist. Many Senators and Members voted for the bill, without comprehending or at least without considering its elastic qualities—the extent it would eventually abrogate the time honored political rule that—“to the victors belong the spoils.” The law itself, without Executive extension, applied to comparatively few places, but it conferred upon the President, the power to extend its provisions, within certain defined limits, as he might see fit. The bill was so generously supported because it was thought by many to be a harmless experiment and that it would satisfy a rising sentiment for reform in the Civil Service. Several attempts have been made to repeal the law and several times attempts have been made to strike out of appropriation bills, the provisions for its support, but these all failed and the system of Civil

Service has become so strongly entrenched and so thoroughly interlaced with the Government itself as to be safe against any force or influence which its enemies may bring against it.

As the campaign of 1883 approached, it was quite easy to discern that the prospects of a Republican victory in Ohio were not promising. The Republican party had lost the State in 1882, because it was held responsible for the failure of Congress to reduce National taxation, and it was about to lose it again because it had reduced taxation. In so doing, it had injured the wool growers by reducing the duties on wool below the point affording adequate protection. The liquor question had contributed to the Republican defeat in 1882, and it was to be presented in a new phase this year. The Constitution of Ohio prohibited the General Assembly from licensing the liquor traffic. This Constitutional provision was incorporated in the fundamental law of the State upon the theory that to license an evil, was to make the State *particeps criminus*. This Constitutional provision limited the legislature, in dealing with the liquor traffic, to the enactment of laws making certain phases of the business criminal. In 1882, the legislature levied an annual tax on the liquor traffic. The liquor interests contested the validity of the law and succeeded in getting the Supreme Court to hold it unconstitutional. The next succeeding legislature passed another tax law and in the light of the Supreme Court decision, an attempt was made to avoid the defeats of the former law, but this law was finally declared unconstitutional. This law not only irritated the men engaged in the liquor business, but a vast number of men, not engaged in the business, became offended because they regarded the law as an encroachment upon the rights of personal liberty. The same General Assembly submitted to a vote of the people of the State, two Constitutional amendments. The first amendment, if adopted, would give the legislature power to regulate the liquor traffic in any manner it saw fit; the second amendment, if adopted would prohibit the sale of intoxica-

ting liquor as a beverage. Both of these amendments were to be voted on at the fall elections of 1883. The Republican party was responsible for the submission of these amendments and for the enactment of the tax law. The prohibition amendment was particularly obnoxious to the German Republicans of the State. They regarded all liquor legislation as in the nature of sumptuary laws and prohibition as a deprivation of their liberty. On the other hand, those who believed that the liquor traffic was an unqualified evil and should be prohibited, were opposed to the tax law and also to the amendment giving the legislature the power to regulate the traffic. The Republicans, however, had some advantages. Congress had reduced letter postage from three to two cents each half ounce. It had abolished the internal revenue tax on matches, proprietary medicines, bank checks and drafts and on surplus bank capital.

The Republican State Convention was held on the fifth and sixth of June. Senator Sherman was made permanent chairman. Long before the Convention convened, it was apparent that Senator Sherman would be nominated for Governor, unless he unqualifiedly refused the nomination. It was quite plain that his candidacy at this particular time would have peculiar strength. He was very popular with the German Republicans, not alone because he was the foremost champion of honest money, but also because his personal views on questions of temperance were liberal. He did not believe it wrong to drink a glass of beer and he frankly said so, and yet the ultra-temperance people took no serious offense. There were a small number of Republicans in the State who desired Senator Sherman's nomination, thinking thereby to encompass his defeat, but the majority of the party desired it because they believed that his candidacy and leadership would enable the party to win victory. He was urged from every side to permit the Convention to nominate him, but he steadily refused to consider the question because he felt that his paramount duty to the people of Ohio, was to

serve them in the Senate. Just before the Convention a leading Republican paper of the State said:—

“The great interest manifested throughout the country in Ohio, is such that it is deemed wise, owing to existing circumstances, to insist on the nomination of Mr. Sherman, thereby avoiding all contest in the Convention, and giving a National prominence to the campaign.”

Judge J. B. Foraker, of Cincinnati, was the only avowed candidate for the nomination for Governor. At that time, Judge Foraker was little known throughout the State. He had served creditably as Judge of the Superior Court, of Cincinnati, and he was known at the Cincinnati Bar as a lawyer of ability. He had a splendid record as a soldier but he was not regarded as a particularly strong candidate, because, up to that time, he had not displayed the great qualities which he possessed in abundance and which afterwards made him a popular leader and a statesman of great prominence.

Senator Sherman on taking the chair, delivered an address in which he discussed the issues of the contest with frankness. With equal frankness and with a commendable courage, the Republican party declared its position and faced its responsibilities upon the questions of the hour. The platform demanded the restoration of the wool tariff of 1867. It commended the legislature for passing the Scott law and for submitting the Constitutional amendments to the people. Senator Sherman in his address said:—

“We are for laws protecting the labor of our people, and we are for laws that will make the traffic in liquor pay for the cost it entails. These are the issues of the moment, let us look at them. We must impose large taxes for the support of the National Government. This, we think, should be done by duties on imported goods and not on domestic products, except two or three articles of luxury, such as whiskey and tobacco. We also say while levying duties, great care should be exercised to put them first on luxuries, second on articles that come in competition with our own fabrics, the purpose being to give to our working men the benefit of the increased price of the article caused by the tax. To give to our own farmer, the home market of busy laborers as consumers of his products, and to the country the increased wealth,

strength, and independence caused by a great variety of production. We contend that this principle of the protection should extend to all productions of the farm as well as to the workshop, so that the wool of the farmer should be protected as well as the woollens of the manufacturer."

He explained the attitude of the party toward the liquor traffic. He said that the Republican party as a political organization, did not occupy a position either for or against the Constitutional amendments and that it had submitted them in order that the people might exercise the Constitutional privilege of amending the organic law if they saw fit. But as to the tax law, he said the Republican party was fully committed to the proposition of taxing the traffic in order that it might thus be compelled to bear a just portion of the burdens which its evils entailed upon the people.

When nominations for Governor were in order, Benjamin Eggleston presented the name of Joseph B. Foraker, of Hamilton County. Immediately upon Foraker being presented, "Private" Dalzell, in a fervid speech, nominated John Sherman and announced that "he was the only man who could carry the State."

The Convention seemed to agree with him, as the nomination was greeted with tremendous applause and it was some minutes before the chairman could be heard. He then said that he appreciated the honor which the gentleman sought to have the Convention confer upon him, but that he could not accept it. His duty was to render such service as he could to his country and to his party in the Senate. After Senator Sherman had peremptorily declined the nomination, Judge Foraker was nominated by acclamation.

Throughout the campaign, the Republicans were at a disadvantage. The Constitutional amendments were like a two-edged sword cutting off their strength whichever way it was swung. Most of the Republican speakers and candidates boldly championed the Prohibition amendment but the Prohibitionists instead of supporting the party that had made it possible to vote on this amendment, nominated a candidate of their own, and fought the Republican ticket with unusual

bitterness. The Democratic platform very adroitly put the Republicans on the defensive on the issue of the reduction of the duty on wool. It commended the Democratic members of Congress for voting against the tariff law. The Democratic candidate for Governor was Judge George Hoadly, of Cincinnati. He was an exceptional strong candidate.

Senator Sherman made a visit to the West immediately after the adjournment of the State Convention but on his return, he spoke almost every day or evening until the election. In the cities he discussed the liquor questions and in the country he paid particular attention to the Democratic claim that he was largely responsible for the reduction of the duty on wool. Senator Sherman had exhausted every honorable effort to maintain the duty on wool as high as the rate of the law of 1867 and only supported the bill because it reduced taxation and yet he was placarded from one end of the State to the other, as the enemy of the wool grower. His vote for the tariff law of 1883 was, under all the circumstances of the situation, justified and consistent. The paramount duty of the Republican party was to reduce taxation—if it discharged this duty at all, it must be done at this session. In his speeches during the campaign the Senator explained the position in which he, and other representatives of the wool industry, were placed in respect to their votes for the Tariff Bill. They were compelled to either submit to an unreasonable reduction of the duty on wool or defeat the whole bill and thus defeat the reduction of taxation which it contained.

Senator Sherman was one of the Conference Committee on the part of the Senate on the Tariff Bill and made every reasonable effort to have the duty on wool increased. But Senators Morrill and Aldrich, his colleagues on the Committee, represented New England interests and were strenuously opposed to any increase—indeed they had had more to do in fixing the rate on wool than any other members of the Senate—and the result was that Senator Sherman was overruled and the Committee refused to make any change in the rate.

Notwithstanding all this he was charged, in this campaign, with the chief responsibility for the rates of duty on wool and, by Democratic members of the House, who had voted for a lower rate or for free wool. During the campaign, the Senator was tendered a reception by the Lincoln Club of Cincinnati and in response to the greeting of the Club, he delivered a speech on the issues. He sought to satisfy the German Republicans that the Prohibition amendment was no part of the creed of the Republican party. Judge Hoadly, the Democratic candidate, however, argued this issue so adroitly and skillfully as to make many believe that the Prohibition amendment was a part of the Republican platform and that to vote the Republican ticket was to vote for Prohibition. During this visit to Cincinnati, the Chamber of Commerce conferred upon Senator Sherman the distinguished honor of a membership.

Judge Hoadly was elected Governor by a plurality of 12,529, and the legislature was Democratic by a majority of twenty-six on joint ballot. Soon after the election, a fierce struggle ensued between Democratic candidates for the Senatorship. George H. Pendleton held the Senatorial seat and expected, as he had a right to, that he would be reelected. Many of his political brethren did not relish Senator Pendleton's Civil Service law and regarded it as at variance with Democratic principles but aside from this, his Democracy was pure and unadulterated and supplementing his political qualities he was a man of pure life and of high ideals. General Durbin Ward had sought honors at the hands of the Democratic party for many years but for some reason his ambition had never been satisfied. He had been a candidate for the gubernatorial nomination against Hoadly and while pity for the old General's defeat was fresh, the Convention in a manner promised to elect him Senator if the legislature was Democratic. Prior to the meeting of the legislature in January, and upon the surface, the contest was between Pendleton and Ward, but after the legislature convened, some mysterious influence seemed to be working for the election

of Henry B. Payne who had not been a candidate or hardly thought of in connection with the Senatorship during the election of the legislature. The Democratic members held a secret caucus, even Democratic newspaper reporters were excluded, and when the result was announced, it was found that Payne was nominated. It was openly charged by Democrats that the friends of Payne had purchased his nomination. An attempt was made to combine the Republicans and the anti-Payne Democrats with a view to electing either Pendleton or Ward, but it fell and Payne was elected.

Senator Payne's term began on the fourth of March, 1885. After the Senatorial election the belief that a portion of the legislature had been corrupted, was strengthened and confirmed by the subsequent developments. The legislature being Democratic, nothing could be done to initiate an official investigation into the charges of corruption. A majority of the people of the State, however, were indignant that a stigma should be cast upon the honor of the State and the leaders of the Republican party were determined that at the first opportunity, an official inquiry should be made into the methods pursued by the friends of Senator Payne, with a view to relieving the State from the odium of a corrupt Senatorial election, or if true, to definitely locate the responsibility. The next succeeding legislature was Republican and it promptly took up the question of an investigation into the charges of corruption. The Senate of the United States was the only body, of course, that had power to act upon the title to a seat, but the inquiry of the legislature was entered upon with the object of basing upon the evidence adduced, a request to the Senate to investigate the election of Senator Payne and to take such subsequent steps as might be deemed proper. The evidence taken by the Legislative Committee raised a strong suspicion that certain members had been bribed by money to vote for Payne and that others had been influenced corruptly to support him. The evidence was amply sufficient to justify the legislature in requesting the Senate to act

in the premises. A resolution to that effect was forwarded to Senator Sherman, with a personal request that he present it to the Senate and ask such action as might be proper. The Republican State Central Committee, supplementing the action of the legislature, and at a meeting held on the fifth of May, 1886, adopted a resolution reciting the fact that the testimony taken by the Legislative Committee strongly tended to show that the election of Henry B. Payne had been secured by bribery, fraud and corruption and, "that in the name of all honest people in the State, and for the credit of the hitherto unsullied name and reputation of Ohio, the Senate of the United States be and is hereby respectfully requested to prosecute such investigation as may be necessary to relieve the State from the disgrace under which it now rests, and to do equity and justice to all concerned."

Senator Sherman took charge of the matter of the investigation before the Senate. He did his duty in this connection without partisan bias or personal feeling against his colleague. He expressed no opinion of his own as to the merits of the charges. He said in substance that there was a profound conviction in the minds of the body of the people of Ohio, of all political parties, that gross corruption had been practiced in the election of his colleague and that the evidence taken and submitted by the Ohio legislature was sufficient to justify the Senate in entering upon an enquiry. After some consideration the Committee on Privileges and Elections reported by a majority, adversely, to an investigation. A minority of the Committee reported in favor of an inquiry. The weakness of the case was in the time which had elapsed between the Senatorial election and the attempt to investigate it. There was and could be no contest in the ordinary manner of contesting the seat of a Member or Senator—there was no one claiming the seat of Senator Payne—the only result could be, either to allow him to continue undisturbed or to vacate the seat. Upon the question of adopting the majority report, Senator Sherman made a long speech in which he presented to the Senate, the evidence upon which the legis-

lature had predicated the request for an investigation. The Senate, however, adopted the majority report by a vote of forty-four ayes to seventeen noes and the matter dropped. The people of Ohio irrespective of party were disappointed and chagrined at the failure of the Senate to act upon the merits of the charges, but there was some consolation in the belief, almost universally entertained, that Mr. Payne himself was guiltless of any personal wrong.



CHAPTER LII.

FIRST SESSION FORTY-EIGHTH CONGRESS.—DISCUSSION AS TO NATIONAL BANK CIRCULATION.—SOUTHERN OUTRAGES.—SENATOR SHERMAN'S RESOLUTION TO INVESTIGATE.—THE KU-KLUX.—THE CHISOLM AND MATHEWS MURDERS.—THE SHOOTING OF COLORED MEN AT DANVILLE, VIRGINIA.—PENSION LEGISLATION.—SHERMAN'S ATTITUDE.—THE REPUBLICAN NATIONAL CONVENTION OF 1884.—SHERMAN'S CANDIDACY.

THE first session of the Forty-eighth Congress assembled on the third day of December, 1883. At this time the country was enjoying great material prosperity. The House of Representatives was Democratic by a majority of upwards of sixty and the Senate was Republican. The House organized by the election of John G. Carlisle, as Speaker. The Republican candidate for Speaker was J. Warren Keifer, of Ohio, who had been Speaker of the preceding House. The Senate was Republican—this situation precluded the hope of any legislation, during the Congress, of a political character. There were no really important questions demanding the attention of Congress at this time. The last session of the preceding Congress had reduced taxation by the repeal of certain excise taxes and by a revision of the tariff laws. This reduction was deemed sufficient to reduce the surplus revenue to an amount which could be usefully employed in paying bonds and would not result in the accumulation in the Treasury of a balance so large as to lead to extravagant appropriations or to withhold from the circulation, money needed for the business of the country. The fact that the Presidential election was approaching constrained both parties to act conservatively.

The most important measure of a National character was the attempt to pass a law allowing National banks to issue

circulation to an amount in excess of ninety per centum of the bonds deposited to secure their notes. The prevailing sentiment in Congress was that the banks were entitled to issue a larger per centum of notes than the existing law permitted. When the National Banking law was enacted and went into operation, the bonds to secure circulation were purchased at par, but now, in 1883, most of the bonds available for the purpose, commanded a heavy premium; others bearing a lower rate of interest were payable at the option of the Government; the result was that the National bank circulation was falling off because they found that the cost of the bonds and the tax upon the circulation reduced the gain to a point where it was no longer profitable to maintain circulation. Several measures of relief were introduced in the Senate, but upon the discussion of these measures it was found that there was great variety of opinion among Senators as to what relief should be granted.

The Secretary of the Treasury, in his annual report to Congress, recommended that the banks be allowed circulation to ninety per cent. of the market value of the bonds—this value to be fixed year by year, so that the amount of notes allowed at any given time, would be ten per cent. less than the market value of the bonds. A bill prepared in the Treasury Department embodying this plan was introduced by Senator Sherman. This bill was opposed because it presented a fluctuating standard, one that would vary with the market value of the bonds. Another bill was introduced allowing notes to be issued equal to the par value of the bonds. This latter bill came up for discussion in the Senate on the thirteenth day of February, 1884. Senator Sherman proposed the following amendment:—

“Provided, That if any bonds so deposited bear a higher rate of annual interest than three per cent., additional circulating notes shall be issued equal in amount, to one-half of the interest accruing on such bonds before their maturity, in excess of three per cent. per annum, such amount to be ascertained and stated by the Comptroller of the Currency on the first day of July, of each year hereafter.”

Senator Sherman in a speech delivered in the Senate, on February, 13th, 1884, explained his amendment as follows:—

“In order to avoid that criticism, an absolute rule of value was proposed in the amendment that I now hold in my hand, which was sent to the Committee on Finance. Instead of taking the market value, it was proposed that we should take the face value of those bonds and add to that the amount of interest that accrues on each kind of bonds over and above three per cent., prior to the maturity of the bond.”

He further explained that this method of computation brought a result very nearly corresponding to the market value of the bonds. He presented with his remarks an elaborate table which exhibited in detail the amount of circulation which a bank would be entitled to upon the deposit of any of the bonds available for the purpose.

After a long debate extending to the twenty-fifth of February, the bill fixing the par value of the bonds as the basis for circulation, passed the Senate but no action was taken on it in the House. During this debate, Senator Sherman availed himself of the opportunity to warn Congress against the danger of silver coinage. He said:—

“There are two disturbing influences affecting the National currency at this time, one of which is the rapid accumulation of silver coin in the Treasury and the resulting fear that in the process of time the currency of the United States will be reduced to the single standard of a silver dollar; the other is the increased difficulty in maintaining the circulation of the National banks caused by the payment of United States bonds and their consequent increased market value. At present, I see no hope for any solution of the silver question.”

During the summer and fall prior to the meeting of this session of Congress, the country had been shocked by a series of political murders in the States of Mississippi and Virginia. The benign policy of President Hayes had failed and the repeal of the law, allowing the military power to be used, “to keep peace at the polls on election day,” was bearing its legitimate fruit. On the sixth day of February, 1875, General

P. H. Sheridan wrote to Senator Hoar, Chairman of the Congressional Committee, as follows:—

Dear Sir:—

In response to inquiries of the Congressional Committee, as to the number of persons killed and wounded in this State, (Louisiana), since 1866, *on account of their political opinions*, I have to state that the number reported is as follows:—

Killed	2,141
Wounded.....	2,115
Total	4,256

Mississippi rivaled Louisiana in political murders and outrages in these days. It was not the colored voters alone who were made victims. The most conspicuous and most brutal of the murders committed in Mississippi up to November, 1883, was that of Judge Chisolm and his little son. After the Mathews murder which occurred on November 6th, the election day, and which was the subject of the Congressional investigation referred to hereafter, the widow of Judge Chisolm wrote the following letter to the Washington "National Republican":—

"I see by editorial notice that you receive small contributions for the wife of the murdered Mathews, of Copiah County, Mississippi. Will you do me the kindness to accept the enclosed? It is but a mite—would that it were more. My heart bleeds at the recollection of my experience in Mississippi. At the close of that dreadful April Sabbath, before me lay within the space of a few feet, Johnnie, our dear son, with his little hand shot off and his young heart shot out; Cornelia, our girl baby, bleeding literally from head to feet, exhausted, and with none to bind her wounds; my husband, truly the image of his God, murdered by those exulting:

"In cowardice so mean, in infamy so vast,
That hell gives in, and devils stand aghast."

Judge Chisolm was a white man, a native of the South; he was a man of the highest character, of large business interests, and he was murdered for no other reason than that he exercised the political rights guaranteed him by the laws and Constitution of his country.

On the election day the sixth of November, 1883, J. P. Mathews, a prominent citizen of Hazelhurst, Copiah County, Mississippi, was shot dead in the presence of the election officers of his precinct as he attempted to cast his ballot. He also was a native of the South, a man of large business and property interests, a kind, upright, charitable citizen, who had committed no offense saved that he had disobeyed the order of a Ku-Klux club to "abstain from political activity in Copiah County." This murder was one of the most atrocious imaginable—the murderer, within a fortnight had been a guest at the table of Mathews—the wife and daughter of the victim had bestowed upon him the beautiful hospitality of a southern home—with the hand still soft with the pressure of their friendship, he slew the husband and father—he did it with a heart void of personal enmity but to fulfill an order of this Southern Mafia.

Mary Mathews, the beautiful daughter of the murdered man, testified before the Senatorial Committee, as follows:—

"The morning of the murder I was sitting on the porch. I heard a shot at the town-house. I knew then what it was. I told mother, and started for the place; the door was locked. A man told me I could not get in. I told him no one had a right to keep me out, but they took hold of me, and led me down the street. I tried to get away, and then we met my uncle. Together we went back. The man at the door told me I had better go home, but uncle forced the door. It was as I feared—father was lying on the floor."

"Dead?" asked Senator Frye.

"Dead," hopelessly replied the young girl.

"What did you do then?" he asked.

"I took my father home," and then the poor girl broke down.

The mother testified:—

"After the murder the mob came to our yard, and held a general rejoicing. They threatened to kill the negro who dug the vault for the burial, and he was obliged to leave Hazelhurst."

After this bloody atrocity, the "Copiahian" the Democratic organ of the county said: "Copiah shakes hands with Yazoo." Thus linking in perpetual infamy the two counties

most deeply stained with the commingled blood of whites and blacks.

On the third day of November, (1883), three days before the election, at Danville Virginia, four negroes were killed and a large number wounded by persons whose purpose was to so intimidate the colored voters that they would not attempt to vote on election day. The horror of these bloody scenes was fresh upon the members of Congress, when it assembled on the third of December. Senator Sherman was importuned by his friends in the South and by people in the North to set on foot an investigation and lay bare to the country the enormities of these outrages.

On the twenty-third of January, (1884), Senator Sherman introduced in the Senate a series of recitals in the form of a preamble and a resolution instructing the Committee on Privileges and Elections to inquire into all the circumstances of and in connection with the events in Virginia and Mississippi. On the twenty-ninth, the Senator called up the resolution and made a speech in support of its passage. His remarks were judicial in their fairness and moderation. In the opening he said:—

“Since the beginning of the present session, I have felt that the recent events in the States of Virginia and Mississippi were of such importance as to demand a full and impartial investigation of the causes which led to them, of the real facts involved, and of the proper Constitutional remedy to prevent their recurrence, and if necessary, to further secure to all American citizens, freedom of speech in the open assertion of their political opinions and in the peaceful exercise of their right to vote.”

He discussed the rights of the colored people under the amendments and the laws enacted by Congress to enforce them—and of the right of Congress to interfere, where the rights of citizens, guaranteed by the Federal Constitution, were impaired. He spoke kindly of the South, and said that he appreciated the embarrassment of the whites in the new situation and relations which had come since the war. He declared, however, “that the rights and equalities of citizens shall be

maintained, and enforced at every hazard." He said that the investigation should be carried on without feeling or prejudice and that every reasonable allowance should be made for the sectional and race sentiment which had been the mainspring of the events in question. And in reference to the dominant power of the South, he said:—

"I would demand that in the States under their control the freedom and equality of rights and privileges guaranteed by the Constitution and laws of all citizens, white or black, native or naturalized, poor or rich, ignorant or learned, Republican or Democrat, shall be secured by the State Government, or if not, that their rights and privileges shall be asserted and maintained by the National Government. Upon this issue I would appeal to every generous-minded man, to every lover of his country, to every one who wishes to enjoy his own rights by his own fireside, free from embarrassments, to stand by those who, yielding to others protection of the laws in the enjoyment of equal rights, will demand the same for themselves and for their associates."

The resolution passed, and in obedience to its direction the Senate Committee on Privileges and Elections, with Senator Hoar as chairman, made a thorough investigation. Senator Sherman, who was a member of the Committee, examined many of the witnesses and expended a vast amount of labor in securing the facts and having them presented to the Committee. The evidence showed that the incidents which composed the subject-matter of this particular investigation, were only the out-croppings of a general plan or system organized by the dominant party of the most of the southern States, to deprive the colored voters of that section of their votes by intimidation and violence. It was an attempt to nullify the Constitutional amendment conferring upon the freedmen political rights. The investigation assumed the form of a political controversy and no beneficial results accrued except to fix the attention of the country. The new order in the South, ushered in at the close of the Civil War, has already passed through two stages. The first was the ascendancy of the enfranchised and politically rehabilitated

blacks. The excesses of their short reign were hardly less bloody and atrocious than the reign of the Ku-Klux which followed. The first abused a liberty they did not understand, the second sinned against the accumulated knowledge of generations whose shibboleth had been liberty and equality. The third phase of this new order is now being presented. This third phase is bloodless—Constitutional enactments have rendered useless, as political instrumentalities, the bludgeon and the shotgun. Newer and better methods have refined the process through which the colored voter is eliminated from the voting population and he is now deprived of his political estate by means concededly clever and certainly refined.

The first session of the Forty-eighth Congress attempted to enact many important pieces of legislation but all of them failed and largely owing to the fact that the Houses were not in political accord. The Blair Educational Bill, providing for an expenditure of \$15,000,000, to be appropriated among the several States of the Union according to illiteracy, passed the Senate but did not make any progress in the House. If this bill had passed more than \$11,000,000 of the appropriation would have gone to the southern States. The bill giving National banks the right to issue notes to the par value of their bonds has already been referred to.

At this session, a bill was passed granting pensions to the Mexican soldiers. In its passage through the Senate, Senator Ingalls attempted to ingraft upon it a provision extending the pensions of the soldiers of the Civil War back to the date of their deaths or discharge, or, if the disability, for which the pension was granted, originated back of the discharge, then back to the origin of the disability. Under the general law existing at this time, the pension, if allowed, began at the date of the application. Senator Sherman opposed this amendment and he did it with great reluctance. He had been as liberal toward pension legislation as almost any man in public life—he usually favored any pension bill which did not make too great a draft on the Treasury—in his

time he procured the passage of scores of private pension bills—he voted for all the great laws by virtue of which \$150,000,000 is paid out annually to the soldiers of the Republic—but here was a proposition to set aside all limitations. It was estimated that to equalize the pensions under the rule of this amendment, would require an appropriation of nearly a quarter of a billion dollars. Mr. Sherman explained his position in these words:—

“I regret very much to oppose any proposition that is favored by the Union soldiers of the American army; and I perhaps should feel some hesitation in doing it, only that I know very well that the soldiers themselves, like all other citizens, are divided in opinion as to this measure.”

But few men ever exhibited moral courage of a higher order than this act of Senator Sherman in respect to this pension amendment. Of it Senator Vest said:—

“It required the highest order of courage for a man, whose chief ambition was to be President of the United States, to defeat a grant of pensions to those who had served even a *month* in the Union army.”

The amendment might have been killed by some parliamentary shift and without uncovering the means or locating the responsibility for its defeat, but Senator Sherman, not court- ing the lead in the matter of opposition, nor seeking embarrassing responsibilities, yet did not hesitate, when no other Senator made objection, to do so himself.

On the sixth day of May, (1884), the Marine National bank of New York failed. This was immediately followed by the failure of Grant and Ward in which failure, General Grant lost his entire fortune. At about the same time, the Second National Bank of New York became insolvent and the Metropolitan National Bank suspended. The United States Treasury was appealed to for help to prevent a financial collapse. A large amount of bonds which had already been called, were paid in advance of the time fixed for their payment. As a result of these failures of National banks the Democrats began an attack upon the National Banking system. The de-

bate ran in the Senate for some time. Senators Morgan and Beck charged that the system was weak and unstable and cited the recent New York disasters, as evidence. The burden of defending the system fell upon Senator Sherman largely, and while there was nothing essentially new presented in the debate, the Senator clearly demonstrated that the failures in question afforded no evidence of defects in the system, but, only, that weak or dishonest men had mismanaged the affairs of the failed banks.

On the third of June, (1884), and more than a month before this session of Congress adjourned, the Republican National Convention met in Chicago. In one respect, at least, this Convention was a remarkable one. President Arthur was the only avowed candidate—there were several other candidates but they were receptive candidates. Senator Sherman declined to do anything to further a candidacy which originated with and was wholly within the control of his friends. He said long before the Convention assembled: "I am in no sense a candidate, and would not make an effort for the nomination." Blaine occupied a similar position. His once intense ambition for the Presidency had cooled and the disappointments and defeats of 1876 and 1880 had aroused in him a superstitious belief that he was not to be President. Logan's candidacy was held in reserve and Edmunds had no material support outside of New England, nor hope of being nominated. President Arthur's friends had an efficient organization—this organization was constituted largely of office-holders and politicians—but aside from his political strength, the President was strongly supported by the business interests and especially by the business interests of New York. From the beginning, it was apparent that the contest was between Blaine and Arthur—the other candidates had a waiting chance only. There were a considerable number of influential delegates, among them Senator Hoar, George William Curtis and others, who did not think it wise to nominate either Blaine or Arthur. These delegates attempted to organize a movement in some of the

leading delegations for the nomination of General Sherman. They had gone so far in the arrangement as to have an agreement that at a certain time, the votes under their control should be cast for General Sherman but before the time arrived to make the break from their respective candidates, objections to the religion of the General's family, aroused such opposition and criticism as to defeat the movement.

The Republican National Committee selected the Hon. Powell Clayton, of Arkansas, as temporary Chairman of the Convention. The Convention declined to accept the chairman provided by the Committee and by a vote of 431 to 387, elected John R. Lynch, of Mississippi. This action of the Convention was contrary to all precedent—and it was argued by the friends of Clayton that the motion, made by Henry Cabot Lodge to substitute Lynch for Clayton, was against an unwritten law which had been applied and followed without question, in every National Convention since the birth of the Republican party. The motion was ably supported by George William Curtis, Theodore Roosevelt and others. The defeat of Clayton made him a Blaine man. His State came to the Convention for Arthur, but under his leadership a majority of its delegates voted for Blaine.

The Convention of 1884, in inspiring scenes and interesting incidents, cannot be compared to the Convention of 1880. The men who had made the Convention of 1880 the most notable political assembly in the history of the Republic, were not present. Conkling was in retirement winning a new place and fame in the practice of his profession; Grant was under the shadow of a great business disaster and beginning that heroic struggle against adversity and disease which ended in his death, but in victory; Garfield was dead and his greatness had no successor.

The Hon. John B. Henderson, of Missouri, was made permanent Chairman of the Convention. In his address he mentioned the name of each candidate for the nomination, and made some complimentary allusion to the merits of each.

When the name Blaine was spoken by the Chairman, the last in this series of honorable mention, there followed a demonstration almost indescribable. As the Chairman said: "Maine has her honored favorite" the friends of Blaine in the Pennsylvania delegation, occupying the front row of seats, began cheering and the cheering spread until the major portion of the Convention, delegates and spectators, on the stage and in the galleries, was shouting in mighty volume. It was a tremendous compliment to the popularity of Blaine and indicated, that this time, the popular will and feeling would be translated into the decree of the Convention. Even the colored brethren of the South, supposed to be solid for Arthur, took fire and shouted for the man from Maine. The Blaine contingent in the Ohio delegation helped to swell the chorus and the Blaine minority of the New York delegation joined in. In the midst of the New York delegation, Curtis, Roosevelt and the other reformers sat silent. They took no pleasure in this scene of the Convention.

On the same day, and soon after the demonstration just referred to, Mr. Hawkins, a delegate from Tennessee, introduced a resolution pledging each delegate to the Convention to support the nominee. It was substantially the same resolution as that offered by Senator Conkling in the Convention of 1880. It was opposed by George William Curtis in a speech of remarkable brilliancy. He said in opening:—

"GENTLEMEN OF THE CONVENTION :— A Republican and a free man I came to this Convention; by the grace of God a Republican and a free man I will go out of this Convention."

The resolution was finally withdrawn. Mr. Curtis left the Convention a free man and perhaps a Republican, but he did not support Blaine, its nominee. Although the candidacy of Senator Sherman, in this Convention, did not do him or his State any credit or honor, yet Ohio men occupied very conspicuous positions in the proceedings. William McKinley was Chairman of the Committee on Resolutions and read the platform. Judge Foraker nominated John Sherman in a speech

which attracted attention to the rising young Ohioan. Ohio, however, was the cynosure of all eyes when Judge West, the blind orator, nominated Blaine. It would be hard to describe his performance—in many respects his speech was a great one—the fact that the Judge was an Ohio man and in opposition to Sherman attracted attention—the fact that he was nominating Blaine, gave him the inspiration of a sympathetic audience—but his blindness, his physical weakness and his peculiar style of oratory attracted most. His speech had some beautiful periods in it and these were delivered with telling effect.

The first ballot was taken on the third day of the Convention and resulted as follows: Blaine $334\frac{1}{2}$; Arthur 287; Edmunds 93; Logan $63\frac{1}{2}$; Sherman 30. On the fourth ballot Blaine was nominated. Senator Sherman received but twenty-five out of Ohio's forty-six votes, the others were cast for Blaine, and but five votes outside of Ohio on the first ballot. He had attempted to dissuade his friends from presenting his name and when he found that they would present it notwithstanding his personal wishes he consigned the matter of his candidacy to them. Substantially the same condition existed in Ohio in 1884 that had existed in 1880. A small faction of political discontents, taking advantage of the immense personal popularity of Blaine in the State, were able to divide the Ohio delegation against Senator Sherman. His friends in the Ohio delegation, however, acted wisely in casting the solid vote of the State for Blaine, when it became evident that the latter's nomination was inevitable. Their action in this respect met the approval of Senator Sherman. He regarded Blaine as the logical candidate of the Republican party at this time, and while his relations with President Arthur was very pleasant, he did not regard him as equal to the great duties of the office of President.

The Convention completed its work by nominating General John A. Logan, for Vice-President.

After the Convention, Mr. Sherman received many letters containing expressions of regret that he was not nominated.

A few days after, he received the following letter from Theodore Roosevelt:—

422 MADISON AVE., NEW YORK, July 12, 1884.

HON. JOHN SHERMAN.

Dear sir:—Your kind favor of the 16th inst. has come to hand. I have only to regret that my efforts to transfer the various “dark horse” and “favorite son” votes to yourself were not successful; you would have received the most cordial and hearty support from all Republicans and I should have been proud indeed could I have assisted in bringing about your nomination.

Most truly yours,

THEODORE ROOSEVELT.



CHAPTER LIII.

BLAINE NOTIFIED OF HIS NOMINATION.—SENATOR SHERMAN'S RATIFICATION SPEECH.—BLAINE AND LOGAN.—THE CAMPAIGN OF 1884.—CLEVELAND ELECTED.—SENATOR SHERMAN ELECTED PRESIDENT PRO TEMPORE OF THE SENATE.—MR. SHERMAN RE-ELECTED SENATOR FOR A FOURTH TIME.—DIFFERENCE BETWEEN SHERMAN AND ALLISON AS TO SILVER.

ON THE twenty-first day of June, (1884), the Committee, appointed for that purpose, by the National Convention, waited on Mr. Blaine at his home in Augusta, Maine, and formally notified him of his nomination as the Republican candidate for President. The interesting ceremonies incident to the occasion were conducted under the wide-spreading branches of a butternut tree, which stood in the yard of Mr. Blaine's residence. The formal notification was read to the distinguished candidate by Chairman Henderson. Mr. Blaine responded in a brief speech in which he accepted the nomination. This was doubtless the proudest day in the life of the illustrious man, whose public career was conspicuous for its brilliant successes and its bitter disappointments. Twice he had striven by every honorable means to secure the nomination of his party for the Presidency and twice he had been defeated. Now without a single effort on his part, without even his consent to be a candidate, he was nominated, and a distinguished body of men representing the Republican party had come nearly across the Continent, to formally lay the honor at his feet.

The Republican ticket this year was an ideal one: Blaine and Logan. The nominations were received by Republicans, generally with the wildest enthusiasm. The country was

prosperous, the administration of President Arthur had been satisfactory and what was there that could defeat a ticket combining in such abundance all the elements of popular strength and favor? Nothing, the great majority of the Republicans answered with perfect confidence. Immense meetings were held throughout the North to ratify the nominations. These assemblages were not brought together in the usual way but they seemed to be the spontaneous gathering together of people to express in some conspicuous manner their supreme satisfaction at the nomination of Blaine and Logan. One of these ratification meetings was held in Washington city, at which Senator Sherman made a somewhat lengthy speech. He expressed his satisfaction in respect to the nomination, complimented both the candidates, pledged his unqualified support to the ticket and then sounded a note of alarm, which seemed at the time discordant. He said:—

“Fellow Republicans, we are about to enter into no holiday contest. You have to meet the same forces and principles that opposed the Union army in war; that opposed the abolition of slavery; that sought to impair the public credit; that resisted the resumption of specie payments. They are recruited here and there by a deserter from our ranks, but meanwhile a generation of younger men are coming to the front in the South as well as in the North.”

Of the nominees he said:—

“It is said that Blaine is bold and aggressive; that he will obstruct the business interests of the country. I would like to try such a President. He might shake off some of the cobwebs of diplomacy and invite the attention of mankind to the existence of the country. There will always be conservatism enough in Congress, and inertness enough in the Democratic party to hold in check even as brilliant a man as James G. Blaine. What we want now is an American policy, broad enough to embrace the Continent, conservative enough to protect the rights of every man, poor as well as rich, and brave enough to do right whatever stands in the way. We want protection to American citizens and protection to American laborers, a free vote and a fair count, an assertion of all the powers of the Government

in doing what is right. It is because I believe that the administration of Blaine and Logan will give us a fair policy, and that I know that the Democratic party is not capable of it, that I invoke your aid and promise you mine to secure the election of the Republican ticket."

This generous endorsement of the Republican ticket evinced that Senator Sherman harbored no feelings of chagrin and disappointment at the result of the Chicago Convention. He entered the campaign in Ohio, on the thirtieth day of August, and spoke almost every day until after the October election. He then went east, speaking in several States until after the November election. One of the speeches made during this campaign was in Faneuil Hall, Boston.

The early part of the campaign was favorable to the Republican candidates. Governor Cleveland, the Democratic nominee, did not arouse much enthusiasm. His personality was not attractive, he had absolutely none of the magnetic qualities possessed in such abundance by Blaine. His public record was good and his success in politics had been so consistent and uniform, as of itself, to create a doubt as to the result, if it had been thought of. On the surface, until late in the campaign, it seemed that Blaine must be elected and he would have been, had it not been for two or three unfortunate incidents or accidents, which turned the tide the other way. The issue between the rich and the poor was this year, for perhaps the first time, played upon successfully by politicians for political effect. It was accentuated by prejudice aroused by an incident or event of the campaign occurring in New York. The rich men of New York gave Mr. Blaine a banquet at Delmonico's. The dinner was a stupendous political blunder. A few days after, the ministers gave him a greeting in New York. The address to Mr. Blaine was delivered by the Rev. Burchard. During the course of it, the Divine in straining after an effective and unique style of speech, drove thousands of Irish from Mr. Blaine by his unfortunate alliteration of "Rum, Romanism, and Rebellion." The Tammany Hall organization had been supporting the candidacy of General Butler up to this time, but it

immediately shifted its support to Cleveland. This year marked the advent of the "Mugwump" into American politics. Under the leadership of George William Curtis, a large number of Republicans in New York and New England, declined to support Blaine. They professed to give credence and belief to the political slanders which had been given currency, against him, years before, but which had been many times disproved and exploded. They professed to be Republicans still and while they could not support Blaine, because of the delinquencies charged against him, they professed to find Cleveland so much better than his party, that they could support him. The personal element of the candidates entered more largely into canvass, than it had before in any National contest. Serious moral delinquencies were charged against each of the candidates. Conkling and his friends quietly opposed Blaine in New York. Notwithstanding all these untoward events, Blaine probably carried New York, but it was charged and upon convincing evidence, that enough of the votes of General Butler were counted for Cleveland, to give him a small plurality and the electoral vote of the State. New York, being the pivotal State, elected Cleveland, President.

Aside from the ordinary appropriation bills, the last session of the Forty-eighth Congress did not enact any laws of general importance. The silver problem kept itself to the fore, as the most important and interesting public question of the time. President Arthur, in his last annual message, again recommended the suspension of the coinage of the silver dollar. Secretary McCullough enforced the President's recommendation with facts and argument, submitted in his annual report. The total coinage of silver dollars at this date under the Bland-Allison law, amounted to upwards of \$184,000,000, of which only \$53,000,000 were in circulation, the balance amounting to about \$131,000,000 were in the Treasury and represented by outstanding silver certificates. By this time, it had been demonstrated that the business of the country would absorb from 50,000,000 to 60,000,000 of silver dollars,

and no more. The balance were stored in the vaults of the Treasury, a burden to take care of, and the silver certificates, a menace to the stability of the currency. Under the Silver law, the Government had become the purchaser of nearly all the silver produced in the mines of America and at the market price, yet the mine owners were not satisfied, but they kept up a constant agitation for the free coinage of silver. Very early in the session, Senator Hill, of Colorado, introduced in the Senate, a resolution combatting the views of the President as set forth in his message. As silver decreased in value, there was a corresponding increase in the efforts of the silver advocates to commit the Government to the policy of free coinage. The interest of the mine owners was the backbone of this movement but they would have been powerless, because of their evidently selfish interest, had they not succeeded by their wealth and influence, in having the question made a political issue. It was the purpose of the producers of silver, to secure the enactment of a law which would require the Government to authenticate by its stamp that $412\frac{1}{2}$ grains of standard silver was one dollar and then to make this dollar a legal-tender for all obligations, public and private, notwithstanding the fact that the amount of silver designated was not worth more than eighty-five cents, and they demanded that the Government should do this for the individual owner of the silver bullion, free of charge.

The Hill Resolution was introduced in the Senate, on the fourth day of December, (1884), and was as follows:—

“Resolved, That in the existing depressed condition of the industrial interests of the country, and in the presence of the great fall which has taken place, and is still in progress in the wages of labor and in the prices of the produce of farms, workshops, mills and mines, the recommendations of the President and of the Secretary of the Treasury, that the coinage of the silver dollars and the issue of silver certificates shall be immediately and unconditionally prohibited, are calculated to create alarm and thereby aggravate the difficulties of the situation; and that to the end, the public mind may be quieted by the assurance that if the total volume of the currency is not to be enlarged in correspondence with the increasing population and exchanges of the country, it shall at

least not be reduced by suspending the coinage of silver dollars, the Senate declares its opinion to be that, no valid reason exists at the present time, for imposing any new and additional restrictions upon either the coinage of silver dollars or the issue of silver certificates."

On the fifteenth of December, Senator Hill delivered a speech in the support of his resolution. He complained that silver had declined in price measured in gold, because there had been practiced against it, by the Government and financial institutions, unjust and unfair discrimination. He cited a rule of the New York Clearing-House which precluded the use of silver dollars or silver certificates in paying balances. He asserted that the Act of 1878 would have resulted in an international agreement before then, had not the policy of the Government been directed constantly to casting doubt upon the permanency of the Silver Coinage law.

Senator Sherman answered this speech on the same day and immediately at the close of the speech of the Senator from Colorado. He said in opening, that he had purposely abstained from discussing the silver question for some time, and that he had done so with the view that the Bland-Allison law should have a fair opportunity to be tested "by the logic of experience." He said that the friends of silver believed that the issue of a certain amount of silver coin would restore the old ratio between gold and silver, and that he was one of those who were willing to have the experiment tried, and that he was one of those who believed that such a result, as was confidently predicted by the friends of silver, would be greatly beneficial to mankind; but he asserted that the experiment had failed after seven years' trial.

The debate of the silver question demonstrates most clearly that the leading statesmen of the country at this time utterly failed to comprehend the ultimate conditions in respect to silver and the remedy for its evils, which were then only partially discerned. Those who were properly classed as "silver men" entertained but one idea and considered but one remedy, that was the free coinage of silver at the ratio of 16 to 1. Upon this they were an absolute unit and di-

vision had no place in their councils. Those who were opposed to free coinage but yet friendly to silver, were divided in opinion. Senator Sherman, in his speech, repeated what he had often declared before that in his opinion, the only honest remedy was to increase the metal in the silver dollars so that its commercial value would equal the value of the gold dollar. He said that if he had his way, he would enact a law five lines long requiring every silver dollar to contain 470 to 480 grains of standard silver. At this point, Senator Allison interrupted with the inquiry as to whether at that ratio, he would open the mints to the free coinage of silver. To this Mr. Sherman replied:—

“I do not think I would, although I should not have much objection to it.”

Senator Allison spoke in the debate and asserted the belief that if the ratio was fixed at $15\frac{1}{2}$ to 1, an international agreement could be negotiated upon that ratio. He was favorable to a 400 grain dollar to conform to the French ratio. Here were Senators Sherman and Allison, the leaders of the Senate, in wise and conservative thought, as wide apart as the poles upon this question. At this time, both were hoping for a bimetallic system, but each was seeking to secure it by means radically different. Senator Allison believed that if the ratio of the Latin Union was adopted, the Nations of the Union at least would enter into an agreement with us. Senator Sherman believed that if we increased the metal in the dollar, so that the value of the bullion would equal the nominal value of the coin, that all Nations would take it as they did our gold coin. Subsequent events proved that the Senators were both wrong. Neither the increase or diminution of the metal in the silver dollar would have afforded even a temporary remedy against the danger which threatened from the continued coinage of the silver dollar, nor would any ratio have led to an international agreement. The whole trouble arose out of the desire to retain or maintain bimetallism of gold and silver, in the face of conditions which had irrevocably decreed

a separation. These two eminent financiers were not in accord upon the question of suspending the coinage of the silver dollar. Senator Sherman was in favor of immediate suspension, while Senator Allison was not willing to consider the question of suspension as one for immediate action, although he considered that the law of 1878 could not continue perpetually. Senator Sherman contended that bimetallism could only exist where the market value of the metals in the gold and silver coins approximated their coinage value upon the fixed ratio, or where the Government was strong enough to maintain the parity of the coins by receiving them at a parity, but this he contended could only be done where the amount of the coin of inferior value was limited in amount.

Viewing the history of the silver question in the light of the present, it is obvious that its difficulties arose very largely from the tenacity with which the opponents of free coinage adhered to their belief that a bimetallic standard could be established and maintained. After the beginning in the decline of silver, the only possible system in which gold and silver coins could be concurrently used with safety, was in the establishment of gold as the standard money and the concurrent use of silver not as standard money, but kept at a par with gold by the Government controlling the amount of coinage. This, however, is not the bimetallic standard, it is a system of bimetallism which has recently been called the "limping standard." If in the early eighties, when it was once clearly demonstrated that the decline in the commercial value of silver was permanent, Congress had promptly enacted a law establishing the gold standard and at the same time provided for the coinage of such an amount of silver dollars as would have supplied the needs of trade and could have been kept at par with the standard, most of the damage the country sustained in the long delay, to deal heroically with the silver question, would have been obviated. Although Senator Sherman was mistaken in his belief that increasing the metal in the silver dollar would have afforded relief, yet the alternative course proposed by him was the solution

finally adopted, which was, that silver should be coined upon Government account and the parity maintained by the fiat of the Government.

Grover Cleveland was inaugurated President, on the fourth of March, 1885. His inaugural address was brief and conservative. He was evidently feeling his way slowly, as he had the most positive opinions upon public and political questions and subsequently announced these opinions with freedom and directness. Thomas A. Hendricks was inaugurated Vice-President, on the same day, and became the presiding officer of the Senate at the special session called to act upon the President's appointments and to transact such other business as might come before it. At this time there were no political questions of paramount importance or of absorbing interest. A few statesmen saw the danger of an indefinite continuation of the coinage of the silver dollar under the provisions of the Bland-Allison law, but the danger had not become sufficiently plain or imminent to attract the attention of the masses or to become a party issue. Cleveland's election was the result of a desire to change administrations in order that the "books" might be examined. It was thought by a few that surplus revenue in the Treasury would be rebated to the people, by a Democratic administration. Others hoped that delinquencies and speculation would be uncovered if the Democratic party was given control of the Government. It was really a time of small things. The most interesting public event of the year was the Ohio State election in which, for the second time, Governor Hoadly and Judge Foraker were nominees for Governor. A legislature was also to be elected, whose duty it would be to elect a Senator. It was conceded on all hands, that if the legislature should be Republican, Senator Sherman would be elected to succeed himself. He was therefore the leading figure in the canvass. The Democrats contested every step of the campaign with vigor and confidence. They had reason to believe that their party was regaining permanently its heritage of political power. Two years before, Governor Hoadly

had been elected Governor of Ohio, the year before, Cleveland had been elected President. So that the signs of the times seemed propitious for Democratic success. Senator Sherman and Judge Foraker made a thorough canvass of the State, with the result that Foraker was elected by a majority of upwards of seventeen thousand with a Republican legislature which insured the return of Mr. Sherman to the Senate.

A few days before the first session of the Forty-ninth Congress convened, Vice-President Hendricks died. On the first day of the session, Senator Sherman was elected President *pro tempore* of the Senate. He accepted the position but it was wholly unsought by him. He regarded the honor of being elected President *pro tempore* of the Senate highly, because it was an evidence of the good-will of his Senatorial associates and implied a confidence in his fairness and impartiality which was very gratifying. The position would naturally and necessarily relieve him of some of the burdens incident to the office of Senator, but at the same time, it would limit his opportunities to advance measures and matters of legislation coming before the Senate.

In accepting the office, he made a brief speech and after expressing his sorrow in the death of Mr. Hendricks, he said:—

“In assuming this position, without special aptitude or experience as a presiding officer, I feel that for a time at least, I shall have often to appeal to the habitual courtesy and forbearance of Senators. Fortunately the rules of the Senate are simple and clear. My aim will be to secure the ready and kindly obedience and enforcement of them, so that in an orderly way the sense of the majority may be ascertained and the rights of the minority may be protected.”

This was a model acceptance speech. In a few words, he expressed the whole duty of a presiding officer, viz.: to conserve, in an orderly way, the will of the majority and at the same time, to protect the rights of the minority.

Senator Sherman acted as President *pro tempore* of the Senate from the time of his election, on December 7th, 1885, until February 26th, 1887, at which latter date he resigned

because the term he was then serving, expired on March 4th, and he thought it best that some Senator be elected whose term extended beyond that Congress. Senator John J. Ingalls was elected. Mr Sherman, while he was presiding officer of the Senate, did not abstain altogether from participation in debate. The proprieties were not at all infringed by the presiding officer calling a Senator to the chair, in order that he might discuss a measure pending, or in any other manner participate in the proceedings of the Senate.

On the twelfth day of January, 1886, Mr. Sherman for the fourth time, was elected United States Senator by the legislature of Ohio. The election was the spontaneous act of the Republicans of his State. He did not seek a reëlection, and he would not have contested for the honor with any of a number of his party friends had they sought the office. This fact is apparent from a letter written him by ex-President R. B. Hayes, under date of March 31st, 1885, from which the following extract is taken :—

The chances for Republican success seem to me good. Assuming that you have no special aversion to assuming the risk of defeat, at the election, your true course is plain enough. Everybody whose opinion you ought to care about, wants you to continue to be our Senator. They are really in earnest and solicitous about it. You will, I think, have no competitor in the party. In any event, your support by the Republicans is beyond question. In my view you ought to remain in the Senate. I hope you will see the situation as I do.

Sincerely,

R. B. HAYES.

One of the most notable and valuable addresses made during this period by Senator Sherman, was upon the occasion of the celebration of the sixty-fourth anniversary of the birth of General Grant held April 27th, 1886, in the city of Washington. He was requested to respond to the subject "Grant and the New South." It was a fine opportunity and finely taken advantage of, to contrast the Old South with the then present conditions, which, if taken advantage of by the southern people, could be utilized to create a New South.

He pointed out that the New South was founded upon the ruins of the Old. He said that the old system of agricultural labor was gone, and that the South must not only adjust itself to new labor upon the farms and plantations of the South, but must diversify the industries of that section. It should add to the raising of cotton, rice, sugar, tobacco, the development of its natural resources, in the production of coal and iron and in the manufacture of cotton fabrics and the building and improvement of transportation facilities. He said that in addition to material development, the South, to make it a New South, needed more than anything else, a system of education. He said the illiteracy of the South was appalling. He advised above all, the South should avoid causing party lines to be drawn upon sectional divisions or differences, that such a condition would array against the South, sectional prejudices and antagonisms and militate against its growth and progress.

The Republicans of Ohio held their State Convention on August 25th, 1886. In his address opening the Convention, the Chairman of the State Central Committee referred to the recent election of Senator Sherman and to his great services to the Nation. The delegates and spectators greeted this reference with great applause, showing as the newspapers said, "the immense popularity of the leader of the Republican party of Ohio." Governor Foraker was made permanent Chairman of the Convention. In his address, he said that the first commission given himself and his associates, by the election of 1885, was to elect John Sherman Senator and that that had been done as "quickly, firmly and as speedily as the forms of law would permit in the good old-fashioned Republican way, without taint or suspicion of fraud."

General James S. Robinson was nominated for Secretary of State. The platform denounced the administration of President Cleveland for its failure to inaugurate genuine Civil Service Reform, but on the contrary, as the platform charged, it had made hundreds of removals in violation of the true spirit of reform. The other planks of the platform contained the

usual reference to current political questions and the usual felicitations. During the campaign of this year, Senator Sherman spoke in many of the counties of Ohio, and in Michigan, Indiana and Pennsylvania. During the first session of the Forty-ninth Congress, President Cleveland and the Senate fell into a disagreement in respect to the Tenure-of-office law. The Senate demanded of the President, that he should submit to the Senate his reasons for removals, together with such papers and documents as pertained to the removals. The President denied the authority of the Senate to inquire into his reasons and motives, and he called attention to the fact, that the Tenure-of-office Act, passed in 1867, which contained a clause requiring the President to submit to the Senate, his reasons for removals from office, had been repealed in 1869. The second session of the Forty-ninth Congress did not enact any important legislation. The President in his annual messages to Congress had recommended a reduction of the revenues, in order that the surplus might be reduced, but the two Houses not being in political accord, nothing was done along the lines of the recommendations. The President also recommended the suspension of the coinage of the silver dollar. He directed attention to the fact, that with the increased coinage of the silver dollar, the exportation of gold increased. But the evils of the Silver Coinage law had not yet become apparent to the casual observer and the Forty-ninth Congress adjourned and thus postponed to the future, needed legislation upon this subject.



CHAPTER LIV.

1887.—BLAINE AND SHERMAN OCCUPY LEADING POSITIONS FOR PRESIDENTIAL NOMINATION.—SHERMAN'S NASHVILLE AND SPRINGFIELD SPEECHES.—HE VISITS HAVANA.—SHERMAN-FORAKER CONTROVERSY AND CORRESPONDENCE.—THE OHIO CONVENTION.—SHERMAN INDORSED FOR PRESIDENT.—HIS ATTITUDE ON PROHIBITION.—SHERMAN'S TARIFF VIEWS IN REPLY TO PRESIDENT CLEVELAND'S TARIFF MESSAGE.—THE MILLS BILL.—THE CHINESE QUESTION.—FRICTION BETWEEN UNITED STATES AND CANADA OVER FISHERIES TREATY.

A MIXTURE of politics and pleasure occupied the time of Senator Sherman during the summer of 1887. Early in the year, although the Republican National Convention was then more than a year in the future, the newspapers began to canvass the situation and to discuss candidates. The consensus of opinion was that Blaine would be nominated if he was a candidate, or would accept the nomination; in case Mr. Blaine should decline to be a candidate, the signs of the times pointed toward Senator Sherman as the probable nominee. At least a year in advance, it seemed reasonably probable that either Blaine or Sherman would be nominated. At this time there was no one in the Republican party who could compare with Blaine in personal strength and popularity, nor with Mr. Sherman in ability and distinguished public service.

Before the adjournment of Congress in March, Mr. Sherman had accepted an invitation to deliver a political address in the Hall of the House of Representatives at Nashville, Tennessee. He was to defend the cause and principles of the Republican party before a southern audience, a thing which no National statesman had attempted since the war. It was thought to be an opportune time for some Republican

of National reputation to appeal to the South for fair play in politics and progress in business. On his way to keep this engagement, Mr. Sherman with some Senatorial associates and others, visited Florida and Havana, Cuba. While visiting a sugar plantation, a short distance out of Havana, it was believed that a plot was laid by Cuban bandits to capture and hold Senator Sherman and his associates for ransom. He spent four days in Havana, enjoying the grateful warmth of the Cuban climate at that season and the generous hospitality of the Spanish officials. The party was treated with the greatest consideration, much of which was owing to the high position held by Mr. Sherman. He had just held the position of President *pro tempore* of the Senate and it was regarded by the Spanish officials as being second only to the President in rank and distinction, and he was shown deference and respect, accordingly. Mr. Sherman returned from the Island deeply impressed with the belief that the native or Cuban population was on the verge of a revolt against the Spanish Government. He found a very strong sentiment favoring the annexation of the Island to the United States but the Senator then, and, as to this, he never changed his mind, was firmly of the opinion that it would be unwise to annex Cuba, he believed that some trade arrangement, a reciprocity treaty, by which we could sell to Cuba upon terms of equality with other nations, would be more beneficial to both Cuba and the United States than annexation. He also came to the conclusion that the Cubans were not capable of self-government, an opinion not yet demonstrated to be erroneous, although a Cuban Government has been in existence for more than four years.

On his way from Jacksonville to Nashville, Senator Sherman stopped at Birmingham, Alabama, where he was received and treated with every consideration. A reception in his honor was arranged at the hotel where he lodged during the course of which, he was called upon by a great number of citizens who vied with each other in their efforts to make the Senator's welcome cordial and his visit agreeable. He was invited

to address the people in the opera house and responded in a non-political speech in which he took occasion to congratulate them on the evidence of prosperity and progress which he beheld on every hand. He referred to National legislation which was proposed to aid in the material upbuilding of the country, to the baleful influence of sectional feeling as obstacles in the path of southern growth and progress, to the natural resources of Alabama and especially in the vicinity of Birmingham, to the promising future of the South, if her policy was broad and just. At this time Birmingham exhibited, more than any city or section of the South, the evidence of thrift, energy and solid growth. As a result of these conditions, there was apparent a broader, more liberal and more National feeling and spirit than existed anywhere else in the South and as a result of this spirit, Mr. Sherman's speech was received with appreciation and approval.

While lodging in the Florence Hotel, in Birmingham, Senator Sherman was given an ocular demonstration of how impotent were the Constitutional amendments and civil rights laws in securing the freedmen equality of rights when their exercise ran counter to the feelings and traditions of southern society. Hearing of Senator Sherman's contemplated visit to Nashville, a body of representative and respectable colored men of Birmingham had arranged to present him an invitation to extend his visit in the South to Birmingham. While at the Florence Hotel, these gentlemen sent this invitation, which they had expected to present at Nashville, to his room in the hotel and accompanied it with a note asking that they be permitted to call upon him at his convenience. Mr. Sherman gladly consented and fixed ten o'clock the next day, at his room, in the hotel. Ten o'clock next day came, but no colored delegation. He waited until eleven o'clock and they did not appear. At this time a colored employee of the hotel slipped into Mr. Sherman's hand a note saying that the proprietor of the hotel would not allow them to go to his room. He treated this as not only an infringement of the rights of the colored citizens, but as a discour-

tesy to him. He immediately sent for the proprietor of the hotel and inquired of him, if the information, just received in the note, was correct. The proprietor disclaiming any disrespect for Mr. Sherman, said that under the rules adopted for the government of his hotel, he could not permit colored people to visit the rooms of guests, unless it was about some duty of employment. Mr. Sherman promptly decided to leave the hotel and as he said, "find some place where he could receive the colored gentlemen, if he had to do it on the street." He went to another hotel where the delegation read him an address. In the response, Mr. Sherman gave them some sound advice as to what course they should pursue, if they hoped to make their way through the obstacles which lay thick in their path. This incident made Senator Sherman very popular with the colored people. It gave him a strong claim upon their gratitude. In this act, he simply recognized in a concrete and conspicuous form, one of the rights which had come to the freedmen with the new order of things and which the universal sentiment, if not the universal practice of the South, had denied them.

Senator Sherman's speech at Nashville, on the evening of March 24th, attracted wide attention. It was a political speech, a defense of Republican principles and yet it was couched in such conciliatory language and pervaded with such a spirit of fairness and candor as to win almost universal commendation in the South. He pleaded for the negro, that he be given the rights and privileges of a citizen as accorded him by the Constitution and the laws of the United States.

On the first of June following, Senator Sherman upon invitation, delivered a political speech in the Hall of the House of Representatives, at Springfield, Illinois. The matter in the Springfield speech was quite similar to the matter of the Nashville speech but the partisan spirit was much more apparent in the former, than in the latter as it naturally would be in view of the different character of the audiences. Because of this difference, Senator Sherman was charged in some quar-

ters with having two sets of views upon public questions, one for the South and another for the North, or that he had suppressed his true feelings at Nashville for the purpose of making a favorable impression or that for the same purpose, at Springfield, he had exhibited an intensity of feeling which he did not possess. These criticisms had no just foundation. He simply adapted the addresses to his audiences. It would have been worse than folly to have gone into the South with a speech that would have wounded the feelings of the people of that section. If he had justly aroused their resentment, his words would have had no beneficial effect and his mission would have been a failure. At Nashville, he appealed, in kindly language, to the people of Tennessee and through them, to the people of the whole South, to permit the colored men to exercise the right of suffrage; at Springfield, he denounced in somewhat bitter language, the outrages committed in the South against the colored voters and he sharply criticised President Cleveland for the marked preference he had shown for ex-confederates in the Federal appointments. An effort was made to destroy or minimize the effect of the Nashville speech in the South, by exhibiting the Springfield speech as evidence that Mr. Sherman was really unfriendly to the South and that his true feelings were expressed in the latter address. No man, in prominent public position, spoke his true sentiments more frankly than did Senator Sherman upon all appropriate occasions. When in the South, he did not shade his principles an iota but he moderated his language so as not to give personal offense to the people whose guest he was; in the North, he was at home, he was one of the household and could express his opinions in adequate terms and taking advantage of this right at Springfield, he pointed out how the Federal Government was controlled through the suppression of the colored vote in the South.

From Nashville, Senator Sherman went to Cincinnati, where he delivered a political address in Turner Hall, under the auspices of the Lincoln and Blaine Clubs. From there, he went to Mansfield for a few days, then to Washington and a

little later in April, he and General Sherman visited Woodbury, Connecticut, the home of their ancestors.

Mr. Sherman announced to his friends, early in the summer of 1887, that he would not permit the use of his name in connection with the Presidential nomination of the following year, unless Ohio was solidly and genuinely for him. Once he had been a candidate and once his friends had used his name as a candidate and each time he had been humiliated by a division and backfire in his own State. This time he was determined that if he was presented as a candidate, it should be under conditions, which, if they did not guarantee success, would at least insure him against personal humiliation. While the exalted honors of the Presidency still appealed to Mr. Sherman's ambition as strongly as ever, yet age and experience had cooled his ardor and like Blaine, he was somewhat impressed with the belief that the office was not for him. But his friends outlined a plan, with his nomination as the object-point and he consented. The first step in the plan was to have the Republican State Convention, to be held in July, at Toledo, to indorse his candidacy. In this connection, it was announced and understood that unless the State Convention, cordially and with substantial unanimity, indorsed Mr. Sherman for the President, he would not permit the use of his name.

Governor Foraker opposed the indorsement of a Presidential candidate. He was not opposed to Mr. Sherman, but quite naturally he desired to be the sole leader and important figure in the campaign in which he was to be the party's candidate for Governor. He and his friends argued that Mr. Sherman's candidacy could be indorsed at the Convention in 1888 and answer all the purposes for which an indorsement was designed. The motives of some of the friends of the Governor were not as pure as those which unquestionably actuated Foraker himself. They were dreaming of the Presidency for their young State leader and they did not want any obstacles put in the way of fate to hinder or retard what they believed was certainly in store for him.

During the winter, the indiscreet and meddlesome friends of both Sherman and Foraker gave currency to political gossip which distressed and embarrassed and sometimes angered both gentlemen. At this time although it was not known to but a few intimate friends of the Governor, he was strongly inclined to decline a renomination. Business reasons urged him toward this course. Ex-Governor Chas. Foster sought to clear the atmosphere and he used his good offices in an effort to have the Senator and Governor understand each other. On February 23rd, 1887, he wrote the Senator a letter, an extract from which is as follows:—

My Dear Senator:—

I think you must be satisfied that Governor Foraker is supporting you in good faith. He has had enough applause to turn his head, or rather to turn the head of any ordinary man. He knows and feels the danger to his reputation of any movement now antagonistic to you. Besides this, I know he is in real earnest in his desire to take up his practice and make some money. . . . Every man in high public station is certain to have indiscreet friends—someone (whom I know not) has written to Columbus to have the Governor “felt of” to ascertain his real feeling toward you. This came to the Governor’s knowledge and of course caused him much distress. . . .

Yours very truly,

CHAS. FOSTER.

There can be no doubt but at this time Governor Foraker was sincerely in favor of Mr. Sherman’s nomination and he was ready to contribute his personal efforts to secure it, reserving to himself, however, the right to question the means which might be suggested or adopted to advance it. But for a period of several months, beginning soon after this, the relations between them were greatly strained, if they did not actually break at one time. Most of the trouble grew out of the attitude of, and the conflict between their respective friends. These differences, of course, were greatly exaggerated and furnished the subject-matter of sensational newspaper reports and criticisms. The bone of contention was the control of the political affairs of the State and the over-zealous activities of these friends for leadership or conspicuous

parts. If a commission was to issue to John Sherman to run for the nomination for President, Governor Foraker's friends wanted the Commission impressed with the stamp of their House and then after the permission to run was duly authenticated, they did not want him nominated, unless it would be done without impairing the strength of their political régime. If, after all else had been done, which they had in their minds to do, there was still room in the Ohio situation for Mr. Sherman's candidacy and they would be given credit for and control of it, he might be a candidate with the consent and support of his State. On the other hand, the friends of Senator Sherman were nearly as strenuous that they should have the credit for whatever of success might attend his candidacy and they should have control of it.

A short time before the Foster letter, there had appeared in the papers, a purported interview with Governor Foraker, which was the occasion of a note from Mr. Sherman to the Governor. On February 19th, (1887), the Governor wrote Mr. Sherman a letter as follows:—(Omitting some formal parts.)

EXECUTIVE DEPARTMENT, COLUMBUS, OHIO, }
February 19, 1887. }

My Dear Senator:—

. . . You need not bother yourself about such matters as far as I am concerned. I see some things in the papers every day that I know nothing about. I assume all the while that you know me, and my feeling, well enough to make it unnecessary for either you or me to waste any time writing letters about them.

I expected to see you in New York. I wished to talk to you about the situation here and about the next canvass. But all can be postponed until you get home again, when I think it would be well if you would come and stop with me a day or two. In the meantime believe me to be as ever yours, etc.,

J. B. FORAKER.

HON. JOHN SHERMAN, WASHINGTON, D. C.

The newspapers almost daily published statements that Foraker would not permit any resolutions of indorsement to pass the Convention and that an open fight was imminent between the two Republican leaders of the State. The Demo-

cratic papers were especially active in disseminating information of this character. It was with the view of contradicting these stories in a dignified way and without either of the parties being humiliated by a formal oath or declaration of fealty, that Governor Foraker invited Mr. Sherman to be his guest for a day or two, when he should return to Ohio. It seems that Mr. Sherman did not find it convenient to take advantage of the invitation and by some oversight did not acknowledge the receipt of the letter. Matters drifted along with about the same irritating circumstances until in the latter part of May, when an article appeared in the newspaper which charged with some circumstance and detail that Foraker and his friends had determined finally to defeat an indorsement resolution, if one was proposed, in the approaching State Convention. On the twenty-eighth of May, Mr. Sherman wrote a letter to the Governor, calling his attention to the report and asking him to set at rest such reports, if they were unfounded, by some decisive action or declaration. On May 31st, Governor Foraker answered the note as follows:—

COLUMBUS, OHIO, May 31, 1887.

Dear Senator:—

In answer to your letter of the 28th inst., I enclose a clipping from the "Commercial Gazette" of the 26th inst. I can only repeat that I know nothing about Mr. Gessner's telegram, but I think he only meant in a thoughtless way to reproduce the sensational gossip that seems to be in circulation, without other motive than to supply a Democratic newspaper with a readable article.

There has been considerable talk, however, of the character of his letter. I have been greatly annoyed by it, and it was with reference to such stories that I invited you, in my last letter, to come here after Congress adjourned and be my guest for a day or two. I thought that would be the best way to end it. Inasmuch as you did not make any response to the suggestion, I feared you did not appreciate it. Allow me to renew the invitation, and to add that I think I have a right to an opinion as to what is to your interest, and that it will not harm you to at least listen to it.

I want you to note, however, that I do not wish to obtrude upon you, any view I may have about anything, and that I have no personal ends of any kind to serve. Much less do I wish to become in any sense responsible for your cause in Ohio. I shall be quite content to aid it in any way I can,

all the while preferring, especially in view of what has been said and done, that its management should remain in the hands to which I understand it has been entrusted.

I may be mistaken, and I hope I am, but I think I detect in the tone of your letter, that which leads me to add that I have no secrets about anything, and I do not intend to have any, and that I always say exactly what I mean and mean precisely what I say, and I will not have anything to do with anybody, about anything unless this is conceded in all the fullness and frankness that can be commanded by a complete self-respect.

Very truly yours, etc.,

J. B. FORAKER.

HON. JOHN SHERMAN, MANSFIELD, OHIO.

It will be observed that this letter was not a very satisfactory one and did not tend to a better understanding. On the fourth day of June, Mr. Sherman wrote again. On the sixth, the Governor replied, saying that he would see Mr. Sherman at Findlay, the Thursday following. They met at Findlay and had a conference about the political affairs of the State and especially about the indorsement of Mr. Sherman for President by the State Convention. This conference was the subject of a graver misunderstanding than any that had yet disturbed their relations. The Governor came away with the understanding that Mr. Sherman would not ask for an indorsement and Mr. Sherman understood that the whole matter was left for further consideration and for future decision. Governor Foraker's understanding was based upon an expression of Mr. Sherman, that he would not ask the adoption of an indorsement resolution, unless it was the practically unanimous wish of the Convention. This left the matter to be determined by the development of the sentiment of the Republicans of the State, prior to the Convention. This was Mr. Sherman's attitude from first to last. He would not ask the Convention to indorse his candidacy unless it seemed the practically unanimous wish of the party of the State. After the Findlay meeting, Mr. Sherman's friends took such steps as were practicable to learn the sentiments of the Republicans of the State and from such investigation, as could be made.

they came to the conclusion that substantially the entire body of the party of the State was favorable to his candidacy and desired any action that would advance it. They also concluded that whatever opposition existed was largely manufactured by interested politicians who were seeking control of the political machinery of the State. On July 11th, Mr. Sherman in conference, finally determined on his course and this was to insist on the indorsement resolution being submitted to the Convention. This conclusion was arrived at, after full consideration and Judge A. C. Thompson was deputed to carry it to Governor Foraker. He met the Governor at Columbus, on the twenty-first, and communicated to him, Mr. Sherman's decision.

On the next day, July 13th, the Governor dictated the following letter to Mr. Sherman:—

COLUMBUS, OHIO, July 13th, 1887.

HON. JOHN SHERMAN, MANSFIELD, OHIO.

Dear Sir:—

I have been away several days but came home in time to meet here yesterday and last evening with Judge Thompson. He told me he had been to Mansfield, and that you are now of the opinion that your interests require the adoption, by the Toledo Convention, of a resolution indorsing you as the candidate for the Presidency, next year, of the Republicans of Ohio. I do not know what has led you to change your mind from what I understood it to be, when I last talked with you. It was my understanding of that conversation, that you agreed with me that it would not be wise to introduce such a resolution into the Convention, unless it seemed the practically unanimous wish of the body. In other words, that any considerable opposition would have a prejudicial effect upon your candidacy, and that in lieu of the resolution of indorsement of you as our candidate, we should adopt a resolution of compliment and confidence, etc., as our Senator, such as would show the feeling of the great majority of the people for you, without creating any disappointment and precipitating any kind of conflict. Not knowing just what has brought you to a different conclusion, I cannot judge satisfactorily of the matter, and being without that knowledge, I remain of the same opinion I have entertained all the while. But, nevertheless, if you have definitely determined what you wish about the matter, I do not wish to offer any opposition. I think this a matter of grave importance to you, and all I desire is that you will give it consideration ac-

cordingly. Judge Thompson urges that such action be taken on the ground that non-action is equivalent to a refusal to indorse you, and on the further ground that the opposition which such a resolution would meet with is not likely to be sufficiently large to prejudice you, and then rounds up the whole matter with the declaration that if your candidacy is to be broken down by a divided delegation from this State, it might as well be broken down now as a year later. I have no patience with that kind of talk, and cannot understand how men who are acquainted with the real sentiments of the Republicans of Ohio can entertain such views.

I only know that it seems to me that non-action this year, cannot be interpreted to your prejudice. Many of the men, who think it should not be done, are among your most honest and sincere friends, and at least among the most trustworthy.

Any one who knows anything at all about the political sentiment of this State, knows that if there is any opposition at all to this resolution, it will be spirited and determined, and sufficiently large, not to be despised.

My impression is that it will be large enough to practically destroy your candidacy, and the idea that you may as well be killed off this year, as next, is nonsense. By another year, every difficulty may be out of the way. It is my impression that good management would allay opposition, and give you a practically solid delegation. Whether my views please you or not, they are honest and unprejudiced and they are spoken in sincerest friendship and without regard to any personal interests whatever.

Very truly yours,

J. B. FORAKER.

On July 14th, Mr. Sherman answered this letter and endeavored to placate the Governor and to remove from his mind the impression that he was not fully trusted or that he was not to lead in the political affairs of the State. The day before the writing of the letter just referred to, Mr. Sherman had written a letter to Mr. Richard Smith, the editor of the "Cincinnati Commercial Gazette" in which he had said that he had not agreed with Governor Foraker that the introduction of a resolution would be ill-advised. Mr. Smith, in the editorials of his paper had criticised the Governor's attitude and questioned the report that Sherman had agreed with his view at Findlay. This letter of the sixteenth, was in some manner and for some purpose, sent to Governor Foraker. He construed it to be a reflection on his veracity and the incident, and he immediately wrote Mr. Sherman as follows:—

COLUMBUS, OHIO, July 16th, 1887.

HON. JOHN SHERMAN, MANSFIELD, OHIO.

Dear Sir:—I have your letter of the fourteenth inst., also one by same mail, from Richard Smith, enclosing your letter too of the thirteenth inst., in which you say, referring to me, "We had a conversation at Findlay, in which he (I) expressed the opinion that it was ill-advised for the resolution to be introduced, but I (you) certainly did not assent to it," etc.

I am surprised to think that there should be such a difference between your recollection and mine as to what was agreed upon at Findlay, and I was especially surprised when after first reading your letter to Mr. Smith, I next read your letter to me written the following day, but received in the same mail, in which you say speaking of the same matter, that "you concurred with me that it (the resolution) ought not to be offered unless with substantial unanimity," etc. I can now understand why Mr. Smith has apparently misunderstood my relation to this matter, and why, in consequence, he has said some things very offensive to me in some of his recent editorials. I trust you will concede the propriety of my asking you to correct his misunderstanding of our understanding at Findlay. In the meanwhile, I will observe as closely as I can the progress of events and consider carefully what should be done.

I stop now only to assure you that I do not wish you to change your programme from what you regard as best calculated to promote your interests, because of any actual or possible effect upon me personally. I remain,

Very truly yours,

J. B. FORAKER.

This is the only letter I ever wrote you that it might be said to be not entirely frank. I have not said all I feel like saying, although I have waited a day.

J. B. F.

This was answered on the eighteenth and in this Mr. Sherman tried to remove the ground of misunderstanding, viz.: that there had been an agreement as to the resolution at Findlay. But it seems that the Governor had gotten beyond that point and only wanted to be vindicated from the published declarations that no agreement had been entered into. He therefore wrote the following peremptory letter:—

COLUMBUS, OHIO, July 19, 1887.

HON. JOHN SHERMAN, Esq., MANSFIELD, OHIO.

Dear Sir:—I have your letter of the 18th inst. I do not think it necessary to discuss any further what we understood, or whether we un-

derstood anything at all, at Findlay. I did not write you for any such purpose. I thought when I addressed you, and still think that the letters to which I called your attention, were sufficiently explicit as to that matter. What I addressed you for, was to ask you to correct Mr. Smith's misunderstanding, out of which no doubt, grew the unkind allusions in his editorials of which I made mention. I know they refer to me because a number of the sentences in his editorials were largely, but repetitions of sentences used by him in his letter to me. I know it also in a limited way, from what individuals have reported to me, he has said on the subject outside of the paper. I thought and still think that a word from you to him would correct all this, and lead him to do what you are aware is only justice to me, namely, cease putting out the idea by innuendo or otherwise, that there is any hostility of any kind between you and me, by stating the fact that I have not at any time "demanded" that the resolution of indorsement be kept out of the State Convention, and that I have only entertained and expressed the opinion frankly and honestly and to all alike, that it would be wiser and better, both for you and the party to do so, and that when you determined otherwise while I do not change my opinion of it, I did not and have not at any time opposed such a resolution in any manner whatever.

I enclose herewith a clipping from yesterday's "Cincinnati Post" which you will observe proceeds upon the idea that there is a contest going on between you and me, and that I have the advantage in this contest of having a lot of salaried appointees upon whom I can call for political assistance in contending with you. If you have noticed the interviews which have been published in the "Commercial Gazette" and other papers, you must have observed that without a single exception, if you know who they are, my "salaried appointees," in so far as they have been interviewed at all, have expressed themselves as Sherman men and in favor of a resolution of indorsement. Do not infer from this however, that all my appointees are for you, some are not as I am informed, but understand only that I am not seeking to influence any of them against you. You cannot find in the State of Ohio, a single individual to whom I have even intimated that I desired him to oppose the resolution, now that it must be offered. I do not think it concerns me materially, one way or another, but I do think it concerns you, very seriously, and it has been in your behalf as your friend and in behalf of the party only that I have expressed myself as I have in regard to it. You are aware of all this so too are many among your warmest and most unquestioned friends aware of it. I do not think you have any better or more devoted friend than Mayor Smith, of Cincinnati. If you do not know him as such, you should. He has been familiar with, and has agreed with me in this whole matter from the beginning.

Now what I want of you is, that you will give Mr. Smith to know,

and the public generally, to know in some appropriate way, that I have never at any time maintained an attitude of hostility to you, about this or anything else; that I have a difference of opinion simply as to a certain step which you proposed to take and that I entertained that opinion honestly and frankly, acquainted you with the fact, and that it is an injustice for me to be held up in the newspapers or otherwise, as having a contest with you. If you do not do this, you will compel me to do it. I think you can understand that under any circumstances and practically under these surrounding this matter, I should be unwilling to be paraded in a false light. Please answer this without delay, as I want to go away the last of the week and wish to hear before I do so.

Very truly yours,

J. B. FORAKER.

On the twentieth Mr. Sherman again wrote the Governor and attempted to place the subject of his complaint in such light as to remove any misapprehension but the tangle seemed to become more intricate as the following letter indicates:—

EXECUTIVE DEPARTMENT,
COLUMBUS, OHIO, July 21, 1887. }

HON. JOHN SHERMAN, MANSFIELD, OHIO.

Dear Sir:—I have your letter of the 20th inst. with a copy of your letter to Mr. Smith enclosed as stated.

You say to Mr. Smith, quoting your language with reference to me, "What he did do was to proclaim in various ways through newspaper correspondents his opinion that any indorsement in favor of my nomination or any expression of opinion of a choice should be kept out of the Convention" and speak of their being a question under the circumstances "as to the propriety of his attempting to dictate or advise the Convention as to what it should do, etc." You add significantly that you have not up to this moment, alluded to this view, and in your letter to me you say "I did in my letter to Mr. Smith suggest that you were a little previous in expressing what ought to be done by the Convention in respect to my indorsement, yet I did not blame you for it or speak of it to any one, etc."

In the first place, it seems to me that you have gone out of your way to raise a new question and for no other purpose than to prejudice me with Mr. Smith and with intention to give me additional offense. I do not appreciate these remarks on that account.

In the second place, you know very well that there is no foundation for them whatever. You try to make it appear as though I

was generally proclaiming this opinion "in various ways through newspaper correspondents." So far as I am aware, I never spoke to a newspaper correspondent on the subject, prior to the Thompson interview, except only to the representative of the "Enquirer"; and if you will look at what he made me say, although he did not report me entirely correctly, you will see that nothing is said that justifies your expression that I was attempting to dictate or doing anything more than merely to express an opinion which I was asked for. And you know also that you held the "Enquirer" in your hand when you called upon me in Findlay, and that you opened the conversation by saying you had just read my interview, and that it was alright and you were pleased with it and thanked me for it. Thereupon we had the conversation that has been referred to heretofore in this correspondence. You had no complaint whatever to make about the interview, neither did any friend of yours make any complaint, but all, on the contrary, so far as I was advised, expressed themselves as pleased with it and thankful for the assistance it amounted to, and was intended to be, to your cause. Among the number was Captain Donaldson, your immediate representative here, who so expressed himself to me and many others.

I do not think there was ever any excuse for complaint on your part of that interview, certainly not at this late date, and particularly not as a part of a letter to Mr. Smith, which I asked you to write, and which I think any unbiased man will say I was entitled to have you write, to correct the misunderstanding which he had, at the time the offensive editorials were published.

I have said this much not for the purpose of having any controversy with you; for I do not desire and will not have any such thing. I can quarrel with Democrats, but not with Republicans. I have wanted nothing but truth and justice. I am reminded of a man who asked for bread and got a stone. I have nothing more to say. So far as I am concerned, this correspondence is closed.

Very truly yours,

J. B. FORAKER.

There was but little communication between Mr. Sherman and Governor Foraker for some months after the meeting of the Toledo Convention. On the thirteenth of January, 1888, Senator Sherman wrote the Governor in reference to the Republican Convention that year and especially with respect to the selection of the delegates to the National Convention to represent Ohio. Time had evidently soothed the feelings of the chief actors in the controversy of the year before, if it

had not changed their judgments and the Governor replied in the following characteristic letter:—

EXECUTIVE DEPARTMENT, }
COLUMBUS, OHIO, Jan. 16th, 1888. }

Dear Senator:—

Answering your letter of the 13th inst., just received, I want to correct your statement as to my remark at Toledo, not that it is important, but only that even little things may be kept straight. What I said had relation to what had been my wish before the difference arose about the resolution of indorsement, and I was referring to it, to show that my dissent in that matter was not founded on opposition to you, as some people had been unkind enough to charge. In other words, I was not even thinking of such a thing as asking you to confide your interest to me. I would not do that under any circumstances.

With that out of the way, I want next to say I am glad to receive your letter, and shall be pleased to aid you in any way I can. I desire to do this not alone for your good, but also, and even more, for the party's; and answering your suggestion as to the position I should occupy, I wish to assure you that is, so far as I am concerned, entirely immaterial. No matter whether I am at the head or at the foot or in the middle of the delegation; and no matter either whether I go to the Convention at all, I shall aid you all the same. I have said to all alike, at all times, and under all circumstances, that if you can be nominated by having Ohio solidly for you, you should have Ohio, and that if you cannot be nominated with such support from your own State, then no one who has a preference for some one else, has sacrificed anything by being for you, and that consequently you should have as you are entitled to have, the support of your own State, in any event.

I think this idea prevails now very generally and consequently the sentiment of Ohio Republicans is more favorable to you than ever before, and that no matter who may be selected by the District and State conventions, the delegation will at least be substantially a unit in your support. I am sure this will be true if nothing is done to stir up strife and contention. Certainly it will be true of southern Ohio. You doubtless know more of northern Ohio than I do. I am also of the opinion that no matter who may be selected as delegates-at-large, they will all support you—at least all will, whom I have so far heard discussed as probable delegates.

I think the wisest course for you to pursue is to avoid contests or appearing to control. I would simply discreetly keep in line, so to speak, as we go along. It is about time, however, to determine

when and where and how the conventions should be held. Please let me know and where you would like the State Convention held, and I will ask the Committee to comply with your wish in that respect. As to the District conventions, I do not know who should manage them, but presume the State Committee will look after them in due time. If there is anything you desire me to do in regard to any of these matters, please let me know.

Very truly yours,

J. B. FORAKER.

HON. JOHN SHERMAN,
WASHINGTON, D. C.

The opposition continued up to the meeting of the Convention on July 28th, but the sentiment of the delegates and of the people attending the Convention was so pronounced and so enthusiastic for the indorsement of Senator Sherman, that it gave way and the resolution was passed by acclamation. Mansfield, the Senator's home, and Richland county, sent a delegation of more than twelve hundred enthusiastic Republicans and Democrats to the Convention. There was an immense attendance and not only the formal action of the Convention proper, but the spontaneous expression of the assemblage outside of the delegates, gave undoubted assurance that this time the great body of the Republicans of Ohio were united and sincere for Senator Sherman for President. To emphasize the honor which the Convention desired to do Mr. Sherman, he was made permanent chairman and it adopted a resolution highly eulogistic of his public career and concluding as follows:—

“ . . . and believing that his nomination for the office of President would be wise and judicious, we respectfully present his name to the people of United States as a candidate, and announce our hearty and cordial support of him for that office.”

The greatest scene of the Convention was enacted when this resolution was read. The resolution indorsing the administration of Governor Foraker was received with enthusiastic applause, indicating that the Governor had taken a strong hold upon the pride and affections of the Republicans of the

State, but when the Sherman resolution was read, as a newspaper correspondent reported, the Convention "went into a convulsion of cheering." The scene was not inaptly described in this report. The applause was so instantaneous and so spontaneous as to show that it came direct from the hearts of the people and that the name of John Sherman was the one to conjure with in an assemblage of Ohio Republicans. Mr. Sherman, on taking the chair to preside over the Convention, made a brief speech in which he complimented and commended the brilliant and patriotic qualities of Governor Foraker and praised his administration of the State affairs in the highest terms. He denounced the Cleveland administration as incompetent and unpatriotic.

When the speaking campaign opened, Senator Sherman entered into it with great vigor and interest. It had been said at the Convention and prior to it, that his indorsement for the Presidency might endanger the election of Foraker and result in Republican defeat in the State. He was especially anxious, therefore, that the ticket should be elected and that he should contribute his share towards its election. He spoke at almost every important place in the State, during the canvass. His speeches were mainly devoted to the discussion of questions of National politics, but he never omitted to refer to the personality of Governor Foraker in glowing terms or to praise his administration. At this time the Democrats were heavily weighted with the President's vetoes and his surrender of Confederate battle flags. The result was the reelection of Governor Foraker by a plurality of upwards of twenty-three thousand. The Prohibition ticket received more than twenty-nine thousand votes at this election. In localities where the Prohibition sentiment was strong, Senator Sherman urged it as the duty of all temperance people to support the Republican party, because he declared it to be the only existing party from which temperance legislation could be expected and he pointed out the folly of people who were for temperance laws, in throwing away their votes, and emasculating their influence by joining a third

party which never could hope to win an election. Besides his labors in the campaign, Senator Sherman delivered an address at the State fair, at Columbus, and he delivered an address at a farmers' meeting in Wayne County, New York. Senator Sherman's addresses to farmers were not only entertaining, but full of sensible advice and friendly admonition. He impressed upon his audiences, the advantage of regarding the agricultural pursuit as one of the most important, as well as one of the noblest, among the multiplied occupations of man. He said to make it successful, in the highest degree, they should cultivate the science of farming, and to be useful citizens and to contribute toward the creation and maintenance of a pure and orderly society, they should strive for mental and moral development. During the summer, Mr. Sherman journeyed to the Pacific Ocean, over the Canadian Pacific Road. While in Canada, he was magnificently treated by the high officials of the Canadian Government. Everywhere along the way and on his return, he was received and entertained with distinguished consideration. A most interesting account of the journey appears in his "Recollections."

Immediately after the November election, Mr. Sherman returned to Washington. The first session of the Fiftieth Congress was to convene on Monday, the fifth of December, (1887). President Cleveland, in each of his annual messages to the Forty-ninth Congress, had urgently insisted upon a revision of the Tariff laws to the end that custom duties be lowered and the surplus of revenue be reduced. But the House of Representatives whose sole right it is to originate revenue bills, had allowed both sessions of this Congress to expire without even an attempt to carry out the President's wishes. The Tariff law of 1883, while it had generally lowered duties, had resulted in an increase of revenue and a consequent increase in the surplus. The President evidently viewed this increased and increasing surplus of the revenues with alarm and as a direct menace to the business prosperity of the country. Either to rebuke the

House of Representatives for its neglect to pass a tariff law or to emphasize the assumed necessity for such legislation as a matter of first importance the President, in his annual message to first session of the Fiftieth Congress, departing wholly from the practice of his predecessors, confined his suggestions and recommendations to the single subject of tariff revision. The uniform practice of Presidents, prior to this message of President Cleveland, had been to lay before Congress the whole state of the Union in a message at the beginning of each session, together with such recommendations as they saw fit to make upon the subject of legislation. These messages were then the subject of legislative action. An appropriate resolution then referred the separate and distinct matters of the messages to the appropriate committees of the respective Houses for their consideration and action. So far as the Executive initiative was concerned, the form of message submitted by President Cleveland, left the whole matter of legislation for the session, to two committees: the Ways and Means of the House and the Finance Committee of the Senate, the two committees having jurisdiction of tariff legislation. Early in the session, Senator Sherman appropriately moved that the message be referred to the Finance Committee of the Senate. If the President had followed the usual course his message would have been referred to the various committees of the respective Houses to act upon the several matters within the respective jurisdiction of each. Senator Sherman thought it a fit and proper occasion to discuss the views of the President and to the extraordinary manner of presenting them, in connection with the resolution for a reference of the message. This course was somewhat unusual, as, ordinarily, the resolution for a reference of this kind is introduced and passed as a formal matter without discussion or question.

The Senator made most careful preparation for this speech. There was no immediate danger of a radical revision of the Tariff laws, as the Senate was Republican, but Mr. Sherman

was looking to the future, and he thought it wise to answer the President's claims and arguments before they had time to seriously influence public sentiment. It was believed by many, that the President's course was not influenced so much by the fact of a surplus of revenue, as it was from a desire to lower custom duties. This was apparent from his recommendation to retain substantially the internal revenue taxes from which a large portion of the surplus was derived and levied almost altogether on luxuries or vices. The most persuasive part of the President's argument was that portion whereby he attempted to show that only a small portion of the industrial population derived any benefit from the protection laws, that all had their burdens increased in the cost of living.

On Wednesday, January 4th, Senator Sherman arose in his place in the Senate and began his speech in answer to the President's message. Like all of his set speeches, it was listened to with interest in the Senate and when done it was regarded by his party associates throughout the country as a complete refutation of the claims and arguments of the message, and a masterly vindication of the principles of a protective tariff as applied to the economic and industrial conditions of the United States. Several Senators attempted to counteract the influence of this speech during the session, but so strongly was it supported by the facts and tables presented, and so logical was its reasoning, that but little impression was made by their speeches. A month or more after the delivery of Mr. Sherman's speech, Senator McKenna, of West Virginia, attempted to answer it in a carefully prepared address, but aside from being able to show that Senator Sherman had once or twice changed his mind as to the extent to which internal revenue taxes should be repealed, he made no impression.

The Senator announced as the first great principle of his speech that "no money should be collected from the people except to meet the requirements of the Government properly and economically administered." In this he agreed with the

President as he did also that the surplus should not be reduced or evaporated by extravagant or unnecessary appropriations. In this connection he showed, however, that the surplus could have been appropriated to beneficent purposes and the evil of a surplus, if it was an evil, wholly obviated.

He demonstrated that so long as the public debt existed, the surplus could be used to either pay or purchase the bonds and that a Democratic Congress had enacted, the authority of which the President had neglected to avail himself. As introductory to his answer to the charge that the tariff increased prices, the Senator said, "cheapness is not the chief object of desire, but prosperity, enjoyment, industry and thrift at home." He then went on to distinguish between a revenue tariff and a protective tariff, how the former was laid upon a dead level to produce the largest amount of revenue and how the latter was levied so as to produce sufficient revenue to support the Government; and at the same time to so discriminate that the highest rate should fall upon luxuries and articles, the subject of importation, which come in competition with home products, and that upon articles of necessity which do not compete with home products no duty at all should be laid. He demonstrated that we had absolute free trade in over one-third of all importations and that upon the balance the duties were so carefully adjusted that no unreasonable price could be exacted by reason of the tariff and so that a reasonable advantage would be given to the American producer against his foreign competitor. This speech of Senator Sherman's was made at a most opportune time to serve a beneficial purpose. The tariff had been the subject of political discussion from the foundation of the Government, and during most of this time preponderating sentiment has favored a protective system but there have been times when, by force of universal conditions or unusually zealous opposition to the system, the issue has hung, as it were, trembling in the balance. While it cannot be said that the protective tariff system was in danger of defeat at the beginning of the Fiftieth Congress, yet it was evident that the President's message would powerfully

influence public sentiment toward a reduction of customs duties. The argument that money was being exacted from the people, to lie idle in the Treasury, was likely to arouse prejudice and feeling, it was an appeal which had to be answered and not answered by a counter-appeal to prejudice and feeling, but upon facts and principles. The old argument of increased prices had been threshed out, and sentiment crystallized, but the question of a surplus was comparatively new and had to be combated by showing that the surplus existed, not as a result of unreasonable taxation, but simply because the administration had neglected to apply it to beneficial objects.

Mr. Sherman said that no one questioned the wisdom of reducing taxes when the revenues materially exceeded the needs of the Treasury, but he said, "the real question here is what taxes shall be reduced, which duties shall be lowered?" He said that this question could be answered better by a commission of business men than by a legislative body where political consideration always entered and that if he had it to do, he would convene a commission of this kind and empower it to fix rates of duty on importations, but inasmuch as the matter was presented, it would have to be dealt with in the usual manner. He pointed out that the application of the President's theory in legislation would require the abolition or material reduction of duties upon foreign importations competing with home products and the levy of duties upon articles admitted free, or the increase of purely revenue duties. He showed how the accumulation of surplus could be prevented without in any way injuring the protective system. In time to come, this speech will become a classic in the literature of American tariff economics, so clearly and logically did Senator Sherman present the basic principle of our Protective Tariff laws.

Soon after the meeting of Congress, the Democratic members of the Ways and Means Committee of the House, began the preparation of a tariff bill in obedience to the recommen-

dation of the President's message. Roger Q. Mills, of Texas, was chairman of the Committee, and he was as near a free-trader as the necessities of the Government would permit. A bill was finally formulated, introduced in the House, discussed for more than three months and on the seventeenth day of July, passed the House by a majority of only thirteen votes. The aim of the framers of the Mills Bill was to secure the enactment of a purely revenue tariff law, but amendments considerably modified particular features of the bill before it was finally passed in the House. The bill went to the Senate and was referred in the usual course to the Finance Committee. No effort was made by the Senate Committee to amend the bill, but it set about preparing a substitute which would preserve the protective system and at the same time reduce the revenues to the needs of the Government. On the eighth day of October, Senator Allison reported a substitute. It was quite evident that the situation precluded any hope of an agreement between the Houses and after several days' debate in the Senate upon the substitute, the whole matter was postponed to the next session, with directions to the Finance Committee to continue the investigation of the question. This was really the end of the Mills Bill, although the final scene was not enacted until late in the second session of the Fiftieth Congress. During this session, the Senate passed the substitute and it went to the House for concurrence or conference. The House took the unusual course of referring it back to the Ways and Means Committee and this Committee, seeing the hopelessness of the situation, contented itself with the report of the resolution condemning the action of the Senate, in reporting a substitute, as an infringement of the rights of the House and unconstitutional.

While Senator Sherman did not take upon himself, as a member of the Finance Committee, the burden of the details incident to forming the substitute, yet he kept in touch with the work of the Committee. He had already laid the foundation upon which the legislation must rest, he had announced the

governing principles in his speech of January 4th. The period covered by the two sessions of the Fiftieth Congress was a period of great activity and labor for Mr. Sherman. During the first session, besides his labors in connection with the tariff discussion and legislation, he engaged in all the Senate debates upon important questions. Senator Beck charged that the tariff was responsible for, and had afforded the opportunity to organize and maintain the trust and monopolies. Mr. Sherman promptly pointed out that the most odious of all the monopolies were dealing in non-protected commodities. At this session, he again answered fully and conclusively and with elaborate citation from public records, the charge that the silver dollar had been secretly demonetized. Senator Sherman reported a resolution from the Committee on Foreign Relations, requesting the President to negotiate a treaty with China whereby Chinese laborers should not be permitted to enter the United States. He engaged with Senator Vest in a long debate involving the incidents of the Louisiana elections of 1876. During this Congress, a serious dispute arose between Canada and the United States as to the rights of fishermen in the waters along the northeast coast. Certain privileges had been granted by the Government of the United States to Canadian fishermen such as bringing their fish into the States for sale free, and in return it was demanded that American fishermen should be permitted to purchase bait in certain Canadian ports and tranship their catch from Halifax and other Canadian points. This reciprocal right being denied or abridged, the President recommended to Congress the enactment of a retaliatory law. The Senator participated in the discussions of these questions, and then expressed the opinion that the only satisfactory remedy for the irritating conflicts constantly occurring and incident to the location of the possessions of the two countries, was the annexation of Canada. But afterwards and upon maturer consideration, he became convinced that it would be unwise to extend our boundaries even in that direction. During the debate on the fisheries question, Senator Beck charged that Mr. Sherman was responsible for the thirty-year four per

cent. bonds and that but for him, a shorter term would have been fixed. In answer to this charge, Mr. Sherman showed that the Senate had passed a law authorizing a twenty-year bond, but redeemable in ten years, at the pleasure of the Government and that he had voted for that kind of bond. He showed further that the thirty-year bond was created by the House and that the Senator from Kentucky had voted for it.



CHAPTER LV.

THE REPUBLICAN CONVENTION OF 1888.—OHIO INDORSES SHERMAN.—FORAKER AND MCKINLEY DELEGATES-AT-LARGE.—CAUSES OF SHERMAN'S DEFEAT.—PLATT CONTROLLED NEW YORK DELEGATION.—SHERMAN NOT POPULAR WITH POLITICIANS.—SENATOR ALLISON.—FORAKER'S ATTITUDE TOWARD SHERMAN.—THE ATTITUDE OF HIS FRIENDS.—FISHERIES QUESTION.—SHERMAN INTRODUCES TRUST BILL.

THE Republican National Convention of 1888 met at Chicago, on Tuesday, the nineteenth day of June. On the twelfth of February, a letter written by Mr. Blaine, to Chairman Jones of the Republican National Committee, was published. In this letter Mr. Blaine declared emphatically that he was not an aspirant for the Presidential nomination. Up to this time it was believed that Blaine would be nominated, and that he would accept the nomination especially if it came as the substantially unanimous voice of his party. Several reasons impelled him to this course, the chief of which was his health. It was gradually failing and he probably felt that the strain of another contest for the Presidency was more than he could bear, and it would, perhaps, put his life in jeopardy. His ambition was not dead nor had he lost desire for the great office which he had lost by an accident, after it had been practically won, but influenced by his family and actuated by the highest motives, he felt compelled to disappoint his friends and to practically forbid the use of his name in connection with the nomination.

This posture of affairs greatly encouraged the friends of Senator Sherman. Up to this time nothing, practically, had been done to advance his candidacy except the resolution on indorsement by his State in 1887. There was still talk that

the Ohio delegation would be divided but the sponsors of the movement to divide the delegation against Sherman, lacked influence and they no longer had the name of Blaine to conjure with. The State Convention met at Dayton, on April 19th. When the Chairman of the Convention, Mr. Lampson, in his opening address, mentioned Senator Sherman's name it was greeted with great applause. Governor Foster was Chairman of the Committee on Resolutions and as he finished reading the Sherman resolution, which was the last of the series constituting the platform, a life-sized picture of the Senator was lowered into view upon the stage. At sight of his familiar face, the Convention broke into wild applause. So overwhelming was the demonstration that no question of division remained after it was over.

The resolution was as follows:—

“The Republicans of Ohio recognizing the merits and services and abilities of the statesman who had been mentioned for the Republican nomination for the Presidency, and while loyal to any one who may be selected, we present John Sherman to the country, as eminently qualified and fitted for the duties of that exalted office, and the delegates to the Republican National Convention this day selected, are directed to use all honorable means to secure his nomination as President of the United States.”

The Convention selected as delegates-at-large, Foraker, Foster, McKinley and Butterworth, all of whom at this time were genuinely in favor of Mr. Sherman's nomination. This combination of talent was not and could not be matched by any State in the Union. Governor Foraker had arisen into great prominence as a popular orator and bid fair to develop the qualities which made Blaine a popular idol; ex-Governor Foster was an astute politician in connection with which he possessed great ability and the confidence of his party associates; William McKinley already filling the public eye as a Presidential quantity and General Butterworth was par excellence the parliamentary and Convention orator. With such representatives and such support from his own State, Senator Sherman was justified in believing that his nomination was probable. After Blaine's Paris letter, Mr. Sherman's enthusi-

astic friends thought his nomination was certain. But in the light of subsequent events or rather when the inside history of the Convention is studied, it is apparent that he had no chance to get the nomination. The same reason that defeated Sherman would have prevented Harrison's nomination if he had been as well known as Sherman or as well understood. Sherman's nomination would have been a recurrence to the older and better practice of the Republic, of putting the greatest and wisest statesman of the country in the highest office and in this view, the appropriateness of his nomination was universally conceded but the leading or controlling politicians had other fish to fry. They were naturally concerned about patronage and influence and just how near these leading and controlling politicians could get to John Sherman, if he was elected President, how much influence they could wield and how much patronage they could secure, were considerations of great weight, if not of controlling force in the Convention of 1888. If Mr. Sherman's nature had invited freedom of intercourse, he would have been President. The simple fact is, the politicians were afraid of him. They took Harrison instead and were left to "batten on the moor."

The Convention opened on Tuesday, with John M. Thurston as temporary chairman. He delivered an eloquent address, the melodious measures of which, had hardly died upon the ears of the Convention before General Mahone and John S. Wise fell into an ugly quarrel over the Virginia contests. The contention was finally transferred to the Committee on Credentials which reported in favor of seating the Mahone delegates. Both Wise and Mahone were ostensibly for Sherman, but the latter was a close friend of the Senator and rightfully stood as the leader of his friends in Virginia. Morris M. Estee, of California, was made permanent chairman of the Convention. On Thursday, William McKinley read the platform. He read the eloquent and incisive periods with a force and dignity never excelled in the history of political conventions. The matter of the resolutions and the manner of the Chairman of the Committee made a profound

impression upon the assemblage. The nominating speeches were made the same day. None of them were especially brilliant or eloquent but many of them answered excellently the purpose. General Hastings, of Pennsylvania, made a very forceful speech in nominating Senator Sherman and Governor Foraker seconded the nomination in a speech full of spice and point, although open to the criticism that the speech lacked tact and diplomacy. Illinois presented Judge Gresham, New York presented Chauncey M. Depew, Michigan, General Alger, Indiana, Benjamin Harrison and Iowa, Senator Allison. There were other candidates presented but these were the leading contestants for the nomination. On the first ballot, Senator Sherman received 229 votes being more than double the number cast for any other candidate on the ballot. On the second ballot he received 249 the highest number received by him during the balloting. The Convention adjourned on Saturday until Monday. Many believed on Saturday that Mr. Sherman would be nominated on Monday and the surface indications pointed in that direction, but over Sunday, behind the scenes where things were done, the signs all pointed the other way. Mr. Sherman expected some support at the start, and much at a later stage, from the New York delegation but it failed him utterly, except perhaps a single vote.

Thomas C. Platt was in control in New York and he did not intend that Sherman should be nominated. He made Depew a candidate simply for the purpose of holding the delegation until other arrangements could be made and to prevent any of it being cast for John Sherman. Mr. Sherman had many friends in the New York delegation, but Platt had so cunningly devised his plan that it could not be overthrown and they were powerless to render him any effective assistance. At one time during the recess, an arrangement was substantially completed which seemed to insure the nomination of Senator Allison but it fell through. Mr. Depew who had withdrawn as a candidate, opposed New York entering the arrangement to nominate Allison on the ground

that the agrarian interests of Iowa and the Northwest had bitterly fought him as a candidate because of his railroad connection and that he did not want them to succeed on that issue.

A combination was then formed for the nomination of General Harrison. But the friends of Blaine were relinquishing their hope that he might yet be nominated and accept, very slowly and with great reluctance. To forestall any movement to nominate Blaine which might have been set on foot, during the Sunday recess, Congressman Boutelle, of Maine, at the coming in of the Convention on Monday morning, read two cablegrams from Blaine, from Edinburgh, in which he asked his friends to respect his wishes and not vote for him. Mr. Haymond, a delegate from California, and an enthusiastic friend of Blaine, raised a point of order against the reading of the messages. He said:—

“My point of order is that nothing is in order now except a call of the roll, and if that is not in order, I want to make a speech for Mr. Blaine when he is being betrayed in the camp of his friends.”

Many rumors were afloat as to the loyalty of the Ohio delegation to Senator Sherman. The Senator was informed that Foraker would break the delegation and that other members of the delegation were not sincere in their support; all of this tended to weaken Sherman's candidacy but was not the cause of his defeat. The Ohio delegates were disappointed and discouraged when the votes of their candidate fell much below just expectation but there was no lack of sincerity or energy in the support which they gave him. The friends of Governor Foraker, those closely allied to his political organization and holding office in his administration, were guilty of some indiscretions which were largely responsible for the suspicion that the Governor was not sincerely for Mr. Sherman. A large number of the district delegates were Foraker's close friends, a relation which they did not all bear to Senator Sherman. Their expressions were naturally looked upon as reflecting the opinion and desire of their chief. Be-

sides members of the Ohio delegation, there were a large number of Republicans, holders of places in the State administration, present at the Convention, whose conduct indicated that in their judgment the great desideratum was the exploitation of the superabundant virtues of the Governor.

So vigorous and persistent were the demonstrations of these gentlemen, that many were led to believe that their objective point was the nomination of Foraker for President. As the Governor began his speech, seconding the nomination of Sherman, by the direction of these friends, a huge floral piece was carried upon the stage and placed immediately to the left of the Speaker. Marked upon the surface of a brilliant background of flowers were the words "No rebel flags shall be returned while I am Governor" being the words of the Governor's celebrated Flag Order. It should be said, however, that this was done without the previous knowledge of Foraker and when the piece appeared, he waved it aside with evident impatience.

Before the first week of the Convention had closed, it became evident that Sherman's colored contingent from the South was disintegrating. The colored delegate delights to wear a badge and this year he was particularly delighted to wear the badge of John Sherman but there were certain influences brought to bear upon him in this Convention, which he could not successfully resist. His pecuniary condition was a weakness which he could not fortify against. A large number of the colored delegates, instructed by their constituents to vote for Senator Sherman, were corruptly influenced to vote for General Alger.

On the last ballot, before the adjournment on Saturday, New York gave General Harrison fifty-eight votes, the balance being scattered. On the first ballot cast on Monday, he received the solid vote of the New York delegation, thus clearly indicating that New York was to lead in the movement to nominate Harrison. On the third ballot, after the adjournment, he received 544 votes and was nominated.

Mr. Sherman promptly communicated his congratulations

and in reply received a letter from the nominee expressive of his high regard and of a personal regret that he had not been nominated. In this letter General Harrison said:—

“I have always said to all friends, that your equipment for the Presidency was so ample and your services to the party so great that I felt that there was a sort of inappropriateness in passing you by for any of us.”

After the Convention was over, Mr. Sherman went about his duties as usual, he was not at all cast down by disappointment, on the contrary, he felt the exhilaration of relief from the tremendous burdens which he must have borne if he had been nominated.

The nomination of General Harrison was especially agreeable to Ohio Republicans. His birth and ancestry gave them a right to be proud of his success and to share in the honor of his nomination. The Republican National Platform was an able exposition of Republican principles but the great issue of the campaign was made by the declaration:—

“We are uncompromisingly in favor of the American system of protection; we protest against its destruction as proposed by the President and his party.”

The Democratic National Convention met early in June and declared in favor of tariff revision but promised that the revision proposed would not injure or endanger the industries of the country. The real issue, however, was between protection and the Mills Bill. This measure was rightly regarded as a concrete illustration of the Democratic position. Ohio had amended her Constitution so that this year, for the first time, in a Presidential year, there were no October elections in the State. This postponed the opening of the campaign for some weeks. Congress was in session until in October and the Halls of the National Legislature were the scenes of almost daily political debate which to an extent took the place of the hustings. On the fifteenth day of July, Senator Sherman delivered a very entertaining address at Marietta, Ohio, upon the occasion of the celebration of the hundredth

anniversary of Governor St. Clair's inauguration as Governor of the Northwest Territory.

The Democrats had nominated Judge Thurman for Vice-President, hoping thereby to transmute his strength and popularity into victory in Ohio. The Judge's favorite handkerchief, the bandana, became the chief banner and emblem of the campaign. President Cleveland was not personally popular with Senators and Members of Congress and his vetoes of pension bills had alienated the friendship and support of a large number of Union soldiers. In the main, however, his administration was popular with his party. General Harrison was devoid of personal magnetism and his good qualities of which he had an abundance, were not of the popular character, but he had a splendid record as a citizen and as a soldier. On the whole, at the beginning of the canvass, the chances of election were not unequal. Late in the campaign an incident occurred which threatened to involve the Nation in an international complication. Growing out of the Canadian Fisheries treaty, which the Senate had rejected, Cleveland was suspected of undue sympathy with British interests. On the twenty-fourth of October, a letter purporting to be written by one Charles F. Murchison, of California, was received by the British Minister, at Washington. The letter stated that the writer was formerly a British subject but now a citizen of United States and that, desiring to support the party most friendly to his native land, he asked the Minister for information and advice. The reply was substantially that the party in power could not openly avow its sympathy with British interests, without losing in popularity and that the President's action in respect to the treaty should be construed in view of that fact. The letter was really an invitation to vote the Democratic ticket. This reply was no doubt extracted for use in the campaign and was immediately published. No rule of international law is better settled than that which forbids the representative of a foreign government to interfere in the internal affairs and politics of the Government to which he is accredited. President Cleveland

called the British Government's attention to the infraction with the expectation that the Minister would be recalled but no action was taken and on the thirtieth of November, the President handed him his passports. The British Government regarded this as lacking in courtesy and for a time declined to fill the vacant post.

After the adjournment of Congress, Mr. Sherman was engaged almost constantly in the campaign. His first set speech was made at Cleveland. It was a comprehensive defense of the Republican position on the tariff and was a merciless exposure of the inequalities, the inequities and inconsistencies of the Mills Bill. He spoke twice in Indiana, at Portland and Huntington. In his speech, at each of these places, he paid a glowing tribute to General Harrison and stirred the Hoosier Republicans to unbounded enthusiasm. He promised that Ohio would go for Harrison and hoped that Indiana would do likewise. Harrison was elected receiving 233 electoral votes to Cleveland's 168.

During the first session of the Fiftieth Congress, Senator Sherman introduced a bill in the Senate, which was the initiative and became the basis of one of the most important and beneficial pieces of legislation of his career. The measure was introduced on the fourteenth day of August, 1888, and entitled "A bill to declare unlawful trusts and combinations in restraint of trade and production." The first clause of the bill read as follows:—

" . . . that all arrangements, contracts, agreements, trusts or combinations between persons or corporations made with a view, or which tend, to prevent full and free competition in the production, manufacture, or sale of articles imported into the United States, and all arrangements, contracts, agreements, trusts or combinations between persons or corporations designed or which tend, to advance the cost to the consumer of any such articles, are hereby declared to be against public policy, unlawful and void."

The first draft of the Trust Bill, from which the above extract is quoted, was little more than the expression of an intention to legislate against the growing evils of combinations

to limit competition and to control prices. The subject was then comparatively new and the working out of an effective remedy was a matter which took time and investigation. The bill introduced by Senator Sherman was the declaration of war against illegal and injurious trusts. The chief defect of the bill as first introduced was in the fact that its application and operation was limited to a single subject of Federal jurisdiction, viz.: foreign commerce and domestic articles with which dutiable imports competed. Congress could not touch trusts and combinations whose operations were carried on within the boundaries of a State; these operations must extend across State lines and become interstate commerce before the Federal jurisdiction attached. The bill was referred to the Finance Committee and on September 11th, Senator Sherman reported it back with a recommendation of the Committee to strike out all after the enacting clause and to insert a new bill of three sections. The first section of the amendment was some improvement upon the first draft of the bill in that it attempted to designate as obnoxious, trusts and combinations, dealing with articles "which shall be transported from one State or Territory to another." Nothing more was done with the bill at this session.

At the next session on the twenty-third of January, (1889), Senator Sherman called up the substitute and gave notice that he would ask for a vote on it next day. He offered an amendment striking out the words "competes with any similar article upon which duty is levied by the United States." And to insert in lieu thereof the following: "in due course of trade." This amendment was adopted without objection. Senator Hoar proposed an amendment which enlarged and improved the terms of the bill as to interstate commerce. There then ensued a discussion which consumed the day. On February 4th, Senator Sherman again called up the bill as the regular order. The bill was again debated but nothing more done during the session. The further history of this bill will be taken up in connection with the proceedings of the Congress which finally enacted the "Sherman Anti-Trust Bill."

CHAPTER LVI

SHERMAN ABROAD.—THE OHIO CAMPAIGN OF 1889.—THE WOOD FORGERY.—FORAKER AND HALSTEAD DECEIVED BY THE FORGERY.—CONGRESSIONAL INVESTIGATION.—THE SHERMAN ANTI-TRUST LAW.—SHERMAN'S PART IN ENACTING IT.

GENERAL HARRISON was inaugurated as President on the fourth day of March, 1889. It rained heavily from the beginning to the end of the inaugural proceedings but notwithstanding, the President-elect delivered his inaugural address from the exposed platform on the east front of the Capitol, to a vast audience whose interest held as persistently as the storm. The speeches delivered by General Harrison during the campaign, to the delegations which visited him at his home in Indianapolis, had greatly increased the knowledge or appreciation which the general public previously had of his ability, and the country was therefore, prepared for an able inaugural address. It was a clear and succinct portrayal of public questions, and a modest but forcible expression of his attitude in respect to the same. He said a surplus of revenue was an evil but not the greatest evil that then confronted the country. The current surplus should be diminished but not by a repeal of laws or a change therein which might result in more serious harm than the continuation of superabundant revenue.

After the adjournment of the special session of the Senate called to meet March 4th, Senator Sherman and Mrs. Sherman and a party of friends sailed from New York for a few months' sojourn in Europe. Four months were very profitably and agreeably spent in visiting England, France, Italy, Switzerland, Austria, Germany and Holland. In 1867 Senator Sherman had attended a Royal Reception given by Napoleon III. in

the Palace of the French Monarchs. It was a regal function made remarkable and impressive by the great personages who attended it and by the collapse of the Empire so soon after. On this occasion, the Senator attended a reception given by the President of the French Republic. This was a very simple function and in its surroundings and settings, the very antithesis of the splendor and trappings of the Imperial Court of the last Napoleon.

Senator Sherman and his family arrived in New York, on their return on the twelfth day of September. They went immediately to Washington. On the evening of the next day after their arrival in Washington, Ohio friends and others tendered him a greeting and welcome home. On the evening in question, a great throng headed by the Marine band, marched to his residence. General Grovesnor, one of Mr. Sherman's oldest and staunchest Ohio friends, delivered a speech of welcome wherein he took occasion to refer to the long and illustrious career of the Senator and said they were honoring themselves in honoring him. The General referred to the Ohio campaign, then going on, and said that Ohio Republicans would now feel assured of victory that the great champion of the cause was about to enter the field.

Mr. Sherman's reply was very happy and appropriate. He touched but lightly upon politics, suggesting that the Republican party should be the governing party; from the tenor of his speech, he seemed to be deeply impressed with the evidence of growth and stability, which he witnessed abroad. He said:—

“Thirty years ago, Italy had at least five different forms of Government which now is under one rule. Twenty-one years ago, France was an Empire, under the almost absolute dominion of Napoleon III., now it is a Republic with all the forms of Republican institutions, but without the stability of our Government. The Kingdom of Prussia has been expanded into the great German Empire, one of the strongest, if not the strongest, of the military powers of the world. The institutions of Great Britain have become liberalized until it is a Monarchy only in name, the Queen exercising far less power than the President of the United States.”

While Mr. Sherman was abroad, the State Convention of his party met at Columbus, on the twenty-fifth of June. The Convention sent him greetings across the sea. The last resolution of the platform was as follows:—

“We send greetings to our honored Senator, John Sherman, visiting in foreign lands and assure him of the great confidence we have in his wise and patriotic statesmanship, his loyalty and devotion to the great principles of protection to American industry, an honest ballot, and a sound and equal currency and assure him a hearty welcome to Ohio upon his return to the United States.”

The Convention nominated Governor Foraker for the fourth time for Governor. His merits and deserts, his execution of the duties of the office of Governor fully justified his friends in their desire to confer upon the Governor the unprecedented honor of a fourth nomination and a third term, but, notwithstanding, it was an egregious political blunder, which, besides inflicting injury upon the party, might have ended his useful and brilliant public career. The initial blunder was aggravated by a blunder during the campaign, which would have wrecked the fortunes of almost any candidate in whose interest it was committed. The campaign was unusually bitter, personal and interesting. James E. Campbell, the Democratic candidate for Governor, was a popular man and an excellent campaigner of a peculiar type. He could not compete with Foraker in strength of oratory, yet he had a humor and incisiveness of expression which were equally as effective as the more vigorous declamation of his opponent. The signs pointed to a very close contest and as a result, the respective sides, with their champions, were straining every nerve and putting forth every effort for success. The argument against a third term, in the Chief Executive office of the State, was hurting the Republicans seriously. Just at this point of high tension, Governor Foraker made a speech in the Music Hall at Cincinnati. He barely touched upon the matter, the subsequent development of which proved so disastrous. The Governor said that his opponent, when a member of

Congress, had introduced a bill for the adoption of a patented ballot-box. This was about all the reference there was made to the matter. It attracted no attention and was regarded as one of the unimportant incidents of a brilliant speech. But in the light of subsequent revelations, it was seen that the Governor mentioned the Ballot-Box Bill as a sort of a precursor to a serious charge which he knew would be made against Campbell within a day, in respect to the bill. The next day the "Commercial Gazette," the Republican organ of southern Ohio and the editor of which was Murat Halstead, published what purported to be a facsimile of a subscription by Campbell, for fifteen thousand dollars of stock or interest in a contract to manufacture and sell the ballot-boxes, referred to in the bill. No other name appeared upon the paper as published, but Campbell's and no intimation that the paper contained any other. The exposure of what appeared to be gross corruption on the part of Campbell, created a great sensation. If the paper was genuine, and no one for the moment thought otherwise, Campbell was done for. The Democrats were stunned and the Republicans jubilant. But the immediate sensation was mild compared with the feeling aroused when it was whispered, that upon the paper, with Campbell's name, appeared the names of Senator Sherman, Major McKinley and several other prominent public men of both parties.

Mr. Campbell, upon the publication of the paper, promptly denounced it as forgery, at least so far as his signature was concerned. Immediately, upon it being rumored that Senator Sherman's name was on the paper, he denounced the signature to be a forgery, as did the other gentlemen in turn. The whole miserable story then came out. A man named Wood, who was the patentee of the ballot-box, in order to ingratiate himself into the favor of Governor Foraker and to secure an appointment in his administration, had concocted the document *in toto* and palmed it off on the Governor as genuine. The names had been traced from genuine signatures; in form they were, of course, in the exact similitude of the genu-

ine signatures and, disconnected from the circumstances, might have been imposed upon any one; but how Governor Foraker and Mr. Halstead could have believed in the guilt of Mr. Campbell, without at the same time, believing in the guilt of Senator Sherman, Major McKinley and the other gentlemen, is incomprehensible. It is equally incomprehensible how they could have believed in their guilt, upon the uncorroborated word of a man like Wood. Much can be allowed to the excitement and anxiety of the situation, but with all due allowance for this, there yet remains the failure of the Governor and Mr. Halstead to inquire of Senator Sherman and Major McKinley whether they had signed such a document; an inquiry which would, if answered in the negative, have precluded all possibility of using it against Mr. Campbell, and if answered in the affirmative, would have consigned their party colleagues to obloquy.

Senator Sherman's first speech in the campaign was made at Orrville and after the publication of the Wood paper. At that time, it was being rumored that the names of eminent Republicans were on the paper but Mr. Sherman made no reference in his speech to the incident. As already stated, when he learned that his name appeared, he immediately wired a denial of its genuineness. On the eleventh day of October, Mr. Halstead published a statement in which he said that investigation showed that Mr. Campbell had not signed the paper and that it was a forgery. The retraction, however, contained no mention of other signatures and the matter so rested until after the election. On November 12th, Senator Sherman indited a note to Mr. Halstead, asking him to make public the whole history of the forged paper. Even at this time, it was not definitely known just what names appeared on the paper, nor who was responsible for its creation. Subsequently a committee of the House of Representatives investigated the matter and through that investigation, all the facts came out.

The House of the Fifty-first Congress was Republican by a small majority and it organized by the election of Thomas

B. Reed as Speaker. The Senate was Republican. The first session of this Congress convened on the second day of December, 1889. The first bill introduced in the Senate this session, was by Mr. Sherman and was entitled "A Bill to Declare Unlawful Trusts and Combinations in Restraint of Trade and Production." This bill (S. 1) was in the same form as the substitute bill reported by the Senate Finance Committee September 11th, 1888, in the previous Congress. The bill was referred to the Committee on Finance and on January 14th, (1890), he reported it back with several amendments. The only important amendment being to amend Section 2 with respect to the measure of damages. On February 27th, the Senate, as in Committee of the Whole, began the consideration of the Trust Bill. It is evident from the Senate proceedings in respect to trust legislation, that up to this time, Senator Sherman did not anticipate any serious opposition to the passage of his bill. Both parties had declared in favor of a curb on trusts and combinations, numerous bills had been introduced and were pending in each of the Houses, aimed at the evils of monopoly in trade and production and there seemed to be almost a unanimity of sentiment that the duty of Congress to furnish some remedy was imperative. The opposition to the bill was therefore unexpected and it came in a somewhat unexpected form. Senators who pronounced marvelously eloquent anathemas against trusts and combinations in restraint of trade and production, found the Constitution an almost insuperable obstacle in the path of any Federal remedy. Senator George, of Mississippi, a profound lawyer, who delighted in the subtle refinements of constitutional exposition and controversy, opened the debate with a speech, which, if it did not arouse the envy of all the constitutional lawyers of the Senate, it at least aroused in them the spirit of emulation.

Senator Vest, of Missouri, followed in an able argument against the constitutionality of the bill. Unquestionably, some of the objections urged against the bill were well taken but it would have taken less time and effort to have proposed a

measure not obnoxious to the objections than to prepare an elaborate Constitutional argument. Two things militated against the bill. First, the Democratic Senators believed that the quickest and surest way to kill trusts was to reduce tariff duties and it seemed the members of the Judiciary Committee believed that this Committee alone was capable of formulating a Constitutional measure.

The first section of the bill, as amended and reported by the Committee on Finance, read as follows:—

“That all arrangements, contracts, agreements, trusts or combinations between persons or corporations, made with the intention to prevent full and free competition in the importation, transportation, or sale of articles imported into the United States, or in the production, manufacture, or sale of articles of domestic growth or production or domestic raw material, that competes with any similar article upon which a duty is levied by the United States, intended for and which shall be transported from one State or Territory to another for sale and all such arrangements, contracts, agreements, trusts or combinations between persons or corporations, intended to advance the costs to the consumer of any such articles, are hereby declared to be against public policy, unlawful and void.”

The second section as amended gave any person or corporation injured by such arrangement, contract, agreement or trust, the right to sue in any Court of the United States, of competent jurisdiction, and recover damages in twice the amount sustained and costs of suit.

As before observed, this bill at this stage fell short of being a full and adequate remedy for the trust evil. In fact, it did not purport to reach every phase of combination formed to restrain competition and raise prices. It applied only to arrangements or agreements made with the intention to prevent full and free competition in the importation, transportation, or sale of articles imported into the United States or in the production, manufacture or sale of domestic articles which competed with any similar articles upon which a duty is levied by the United States, and which shall be intended

for, and which shall be transported from one State or Territory to another for sale.

In this form, the bill would have covered all the designated arrangements or agreements made to prevent full competition in all imported articles, but it would not have reached arrangements or agreements in respect to domestic articles unless they were such as competed with similar articles imported and upon which a duty was levied, and then only when such articles should be transported from one State or Territory to another for sale. The bill in this form was debated in the Senate on February 27th. It was on this day that Senator George delivered a set speech against the constitutionality of the bill; he also argued that it would be without efficacy even if constitutional. This discussion led to another substitute being proposed by the Committee on Finance on the eighteenth of March. This substitute differed from the former one proposed by the Committee in that it eliminated all reference to dutiable imports and their competition with domestic articles. In this form, the bill applied to all arrangements or agreements to prevent full competition in or to raise prices of articles of commerce with foreign nations or among the States.

This substitute differed from the former one in another particular. It sought to give the Federal Courts jurisdiction through the fact of diverse citizenship of the persons who might enter into the forbidden arrangements or agreements. This portion of the substitute exposed a curious confusion of ideas as to the rules or grounds of Federal jurisdiction. If the Federal Courts have jurisdiction of the parties to a controversy, the subject-matter is of no consequence whatever, except as to the amount involved, and if the subject-matter is one cognizable in the Federal Courts, the residence of the parties is not material. This amendment would have had the effect of narrowing the operation of the measure, of confining its application to arrangements or agreements entered into between persons and corporations of different States or of the United States and a foreign State. It left unforbidden the

same character of arrangements or agreements if entered into between citizens or corporations of the same State.

On the twelfth day of March, Mr. Sherman made an elaborate speech in support of the general principles of the proposed legislation, and in answer to the arguments which had been made against the bill. He did not attempt to answer or combat the subtle distinctions of Senator George, nor did his speech compare with the effort of the Mississippi Senator as an exposition of the constitutional questions involved but he expressed in a masterly way the evils of trusts and combinations and demonstrated by the citation of judicial authority and precedent that the Federal Government was vested with adequate power to suppress them. On the twenty-fifth of March, Senator Hoar offered an amendment to strike out that portion of the bill which confined the arrangements or agreements forbidden to those entered into between citizens of different States, or citizens of the United States and a foreign State. This was agreed to, and thus the measure was made to comprehend every arrangement, agreement, contract, trust or combination formed for the purpose of limiting competition in trade and commerce in products, or to raise the price of such products, the subject of foreign commerce or of commerce between the States. The bill needed still some amendments in its remedial provisions, and the language of the first section was awkward and verbose but, after this amendment of Senator Hoar's, it would have furnished an efficient and constitutional remedy.

The Federal Constitution gives Congress the exclusive power to regulate commerce with foreign nations and among the several States. It was under this power that Congress must act in enacting anti-trust laws. The difficulty was found in shaping a measure that would not encroach upon the rights of the States and at the same time efficiently operate upon the trade, production and business illegally monopolized and subject to Federal authority. In the further proceedings in the Senate, in respect to the Trust Bill, it was loaded with amendments, both limiting and extending its provisions, until

it became a legislative monstrosity, an unskillful piecing together or hitching on of other bills or party measures which had little or no connection with or relation to trusts. It was amended so as not to affect labor unions and farmers' organizations. Then a portion of a Trust Bill introduced by Senator Reagan was injected into the body of the bill; a provision which attempted to define a trust or combination and which would have furnished guide-boards for persons desiring to evade the law. Senator Ingall's bill to prevent dealing in "options or futures" was trimmed and spliced on. Then an amendment was agreed to by which it was provided that the provisions against "options" was meant to relate to "wheat, corn, oats, rye, barley, cotton and all other farm products, also beef, pork, lard and all other hog and cattle products, and also stocks and bonds; also cotton prints, steel rails, salt, boots and shoes, lumber and lead." Then an amendment proposed by Senator Blair was agreed to, and was as follows: "Woolen goods, also whiskey, and all kinds of intoxicating liquors." The climax of this series of ridiculous amendments was reached at this point, and a motion was made by Senator Gorman to refer the bill to the Judiciary Committee. Senator Sherman opposed this motion, and in his remarks charged that the amendments were designed to bring the bill into contempt and by indirection to defeat it. He said in part:—

"About that I have something to say. I give notice to the Senate that there are features of this bill that I do not intend shall be defeated by indirection and by the mode which has been adopted here within the last hour. I give fair notice, so far as I am concerned, that this bill shall have fair play, I do not care who opposes it.

"Mr. President, the amendments which have been put upon this bill in the last few minutes are such as simply bring it into contempt, and the manner in which this has been done tends to bring the whole matter into contempt."

Previously a motion had been made to commit the bill to the Judiciary Committee. Upon this motion Senator Vance made some humorous remarks. He said:—

"Mr. President, I never have a bill in which I feel any interest

referred to this mausoleum of Senatorial literature, the Judiciary Committee, without feeling that I have attended a funeral. This occasion is no exception to that feeling. The grand air of magisterial dominion which surrounds these gentlemen who constitute that Committee, the awful profundity and gravity with which they are enveloped, naturally tend to produce a funereal impression upon a serious mind, and the whole atmosphere seems to me resonant with the strains of that familiar old hymn:—

“Hark! from the tombs a doleful sound;
Mine ears attend the cry.
Come, living men, and view the ground
Where your bills must shortly lie.”

* * * * *

“Mr. President, the country has found out that when we desire the death of a bill and are not particularly anxious to put ourselves on record as having directly struck the blow which caused the demise, we refer it to the Judiciary Committee where it sleeps the last sleep known to the literature of the Senate.”

On the twenty-seventh of March, a motion to refer the bill to the Judiciary Committee prevailed by a vote of thirty-one yeas to twenty-eight nays. Contrary to predictions and perhaps contrary to expectations, the Committee on the second of April, reported a substitute and Senator Edmunds, who reported the bill, signified his intention of pressing it to a vote at the earliest time possible. The substitute was called up on April 8th, and debate on it commenced. It was vigorously denounced as a sham, a snare and a delusion by Senator George, who contended that without amendment it would not afford a remedy to the real parties injured. On the same day the substitute, as reported by the Committee, passed the Senate by a vote of fifty-two yeas to one nay. In due course it passed the House, and became a law. The title was amended to read, “An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies.”

The bill reported by the Judiciary Committee was unquestionably a more scientific formula than any of the forms that had preceded it. Discussion and consideration had cleared the atmosphere of much of the confusion which ap-

peared in the earlier attempts to formulate a law. There was evidently much groping in the dark in the first stages of this legislation. By the time the reference was made to the Judiciary Committee the light had been focused upon the subject. The contract or agreement to limit production or competition, or to raise prices, was the thing to be put under the ban of the law, but at first it was not clearly understood how this could be done by Federal authority. The first thought, evidently, was to attach the jurisdiction to the diverse citizenship of the parties entering into such contract or agreement. But as already suggested that fact was wholly immaterial. A contract or agreement wholly between citizens of the same State could have been declared illegal, under the particular facts giving Federal jurisdiction, as well as one between citizens of different States. A contract or agreement might have been made, directly violative of the spirit of the law, between citizens of different States, for instance, to monopolize the production of an article in a number of States and yet so long as this agreement or contract was operated within the boundaries of these States Congress was without the Constitutional power to deal with it. This distinction was not clearly observed in the first forms of this law. It was when the results or products of these contracts or agreements crossed State lines in the form of commerce that the Federal jurisdiction attached. Hence the true form was adopted, viz.: that contracts and combinations "in restraint of commerce among the several States, or with foreign nations," were declared illegal. The bill reported by the Judiciary Committee was essentially a penal measure and the civil remedy of secondary importance.

After the Resumption Act, this is unquestionably the most important piece of legislation with which Senator Sherman's name is connected. There has been manifested in some quarters, a disposition to detract from the credit justly due Senator Sherman and to minimize the merit and value of his contribution to this legislation. If Mr. Sherman had not written a line of the law or contributed a single idea in the course

of its enactment, he would be entitled to more credit than any single man in Congress, because he alone carried the bill through the Senate. Other Senators favored legislation of this character, many desired the bill to pass, and helped it on its way, but not one saw, as clearly as he, the necessity for early action; he understood the conditions, and more clearly than others comprehended how, out of these conditions, monopolies, created by trusts and combinations, would grow and multiply. In reference to this Senator Foraker said:—

“He was among the first to see the enormous combinations of capital we have been witnessing, and the temptation there would be too unreasonable restraint and monopoly, and before others realized the danger or comprehended that any legislation was necessary or even appropriate, he had secured the enactment of what the whole country has recently become familiar with, as the Sherman Anti-Trust law of 1890.”

The Judiciary Committee of the Senate made a new bill but it was new only in the phraseology in which the evil aimed at was described, and in its penal provisions. The Committee took no action on the Reagan Trust Bill although it was referred on the fourteenth day of August, 1888, some five months before Senator Sherman called up his bill and more than eighteen months before the Committee took any definite action looking to the enactment of trust legislation. Sherman pioneered the way, and those to whom it fell to put the law in shape, acted in the light of ideas born during the long struggle he made for anti-trust legislation, and the bill was passed by force of sentiment, if not created by him, yet brought to bear, focused as it were, by his arduous and persistent struggle for a remedy. The enactment of the law and its subsequent construction and application by the courts, fully sustain and vindicate Senator Sherman's position throughout. The forming of a bill was a mere matter of detail, requiring, of course, knowledge of constitutional law, applying to our peculiar form of inter-knit and inter-dependent Federal and State governments, but after all a service of small importance compared with that rendered by Senator Sherman.

He was not wedded to any particular form of bill, he did not care who drafted it, so that one was drafted; his course was toward two fixed points, he was willing to cut across or go around to get to them and these points were, first that the trust evil menaced the welfare of the country, and second that Congress had power under the Constitution to deal efficiently with the evil.

For some time after the enactment of the "Sherman Anti-Trust Law" there was no vigorous and efficient attempt to execute it. As late as December, 1896, in his last annual message to Congress, President Cleveland said:—

"Though Congress has attempted to deal with this matter by legislation, the laws passed for that purpose thus far have proved ineffective, not because of any lack of disposition or attempt to enforce them, but simply because the laws themselves, as interpreted by the courts, do not reach the difficulty."

Subsequent decisions of the Federal Courts have demonstrated that this observation of the President Cleveland was inaccurate. If he had said that there were certain delays incident to the prosecution of cases for the violation of the law which seemed to militate against its efficacy, the statement would have been justified by the facts, but the assertion that the law itself fell short of affording an adequate remedy has been completely refuted and exploded by numerous recent decisions. On the eleventh of February, 1903, Congress passed a law to expedite proceedings under the Sherman law but prior to this procedure statute and under the ordinary rules governing the proceedings of Federal Courts, a number of combinations dangerous to the public welfare were broken up, or compelled to dissolve the connections obnoxious to the law. A number of railroads operating west of the Missouri River, organized a traffic association under the title of "The Trans-Missouri Association," the purpose of which was to control freight rates in a vast territory. A similar association called the "Joint Traffic Association" was formed of railroads operating east of the Missouri River, and formed for

a like purpose, that of controlling rates in a vast territory east of this river line which had been fixed by the associations for their convenience. At about the same time, a combination or monopoly of the manufacturers of iron and steel pipe was in operation and other combinations of capital and production were in existence. These two Railroad Associations and this Iron Pipe Combination were severally prosecuted under the Anti-Trust law and compelled to dissolve. Other prosecutions were carried on against other combinations, but it would not be profitable to notice all the cases; it is sufficient to say, that by the decision of the Supreme Court of the United States, in the case against the Northern Securities Company, the Anti-Trust law was held to confer upon the Federal Courts power to enjoin the performance of any contract between individuals or corporations, which, if carried out would operate as an illegal restraint upon interstate commerce or tend to create a monopoly in trade or production, the subject of interstate commerce.

The four cases just referred to, illustrate and demonstrate the breadth and strength of the Sherman Anti-Trust law. One of these cases, the Adystone Pipe and Steel Company *versus* United States, reported in 175 U. S. 328, involved the legality of a manufacturing monopoly; its principle covers the whole field of production when it becomes the subject of commerce between the States. The two railroad traffic cases settle the application of the law to agreements of carriers to control transportation charges where there is no actual combination of the corporations or roads interested, only a traffic arrangement. The case against the Northern Securities Company deals with a situation, where to all intents and purposes, two great competing lines of road were consolidated through the use of a holding company. Combinations to increase the price of food have been driven back within legal bounds. From the citadel of a single law, the guns of the Executive Department of the Government can be effectively trained upon the evils and dangers of monopoly. And yet capital has not been intimidated, no legitimate enterprise discouraged and no

honest investment lost through the enactment and enforcement of the law. Upon the plain granite block at John Sherman's grave, there is no epitaph; his name is chiseled upon the stone, nothing more. If it had been thought necessary to inscribe upon the perishable marble of his tomb the dates and order of his greatest achievements, the things which he wrought from which his country and his countrymen received the greatest good, his services in the enactment of the Anti-Trust law of 1890, would appropriately stand near the top.

The speech of Senator Sherman delivered in the Senate on March 21st, 1890, with the omission of a court opinion, is as follows:—

“MR. PRESIDENT, I did not originally intend to make any extended argument on this Trust Bill, because I supposed that the public facts upon which it is founded and the general necessity of some legislation were so manifest that no debate was necessary to bring those facts to the attention of the Senate.

“But the different views taken by Senators in regard to the legal questions involved in the Bill and the very able speech made by the Senator from Mississippi [MR. GEORGE] relative to the details of the Bill led me to the conclusion that it was my duty, having reported the Bill from the Committee on Finance, to present in as clear and logical a way as I can the legal and practical questions involved in the Bill.

“MR. PRESIDENT, the object of this Bill, as shown by the title, is ‘to declare unlawful trusts and combinations in restraint of trade and production.’ It declares that certain contracts are against public policy, null and void. It does not announce a new principle of law, but applies old and well-recognized principles of the common law to the complicated jurisdiction of our State and Federal Government. Similar contracts in any State in the Union are now, by common or statute law, null and void. Each State can and does prevent and control combinations within the limit of the State. This we do not propose to interfere with. The power of the State courts has been repeatedly exercised to set aside such combinations as I shall hereafter show, but these courts are limited in their jurisdiction to the State, and, in our complex system of government, are admitted to be unable to deal with the great evil that now threatens us.

“Unlawful combinations, unlawful at common law, now extend to all the States and interfere with our foreign and domestic commerce and with the importation and sale of goods subject to duty

under the laws of the United States, against which only the General Government can secure relief. They not only affect our commerce with foreign nations, but trade and transportation among the several States. The purpose of this Bill is to enable the courts of the United States to apply the same remedies against combinations which injuriously affect the interests of the United States that have been applied in the several States to protect local interests.

"The first section declares:—

"That all arrangements, contracts, agreements, trusts, or combinations between two or more citizens or corporations, or both, of different States, or between two or more citizens or corporations, or both, of the United States and foreign states or citizens or corporations thereof, made with a view or which tend to prevent full and free competition in the importation, transportation, or sale of articles imported into the United States; or with a view or which tend to prevent full and free competition in articles of growth, production, or manufacture of any State or Territory of the United States with similar articles of the growth, production, or manufacture of any other State or Territory, or in the transportation or sale of like articles, the production of any State or Territory of the United States, into or within any other State or Territory of the United States; and all arrangements, trusts or combinations between such citizens or corporations, made with a view or which tend to advance the cost to the consumer of any such article, are hereby declared to be against public policy, unlawful and void. And the circuit courts of the United States shall have original jurisdiction in all suits of a civil nature at common law or in the equity arising under this section, and to issue all remedial process, orders, or writs, proper and necessary to enforce its provisions, and the Attorney-General and the several district attorneys are hereby directed, in the name of the United States, to commence and prosecute all such cases to final judgment and execution."

"This section will enable the courts of the United States to restrain, limit, and control such combinations as interfere injuriously with our foreign and interstate commerce, to the same extent that the State courts habitually control such combinations as interfere with the commerce of a State.

"The question has arisen whether express jurisdiction should be conferred on the circuit courts of the United States to enforce this section, with authority to issue the ordinary remedial process of courts of law and equity, or whether such power is already sufficiently contained in the several acts organizing the courts of the United States. The third article of the Constitution vests the judicial power of the United States in one Supreme Court and in such inferior courts as Congress may ordain and establish.

"The Judiciary Act of 1789 defines the jurisdiction of the several courts, and, by separate acts, this jurisdiction has been, from time to time, extended to new subjects of legislation. The committee therefore deemed it proper by express legislation to confer on the circuit courts of the United States original jurisdiction of all suits of a civil nature at common law or in equity arising under this section, with author-

ity to issue all remedial process or writs proper and necessary to enforce its provisions, and to require the Attorney-General and the several district attorneys, in the name of the United States, to commence and prosecute all such suits to final judgment and execution.

"The second section of the Bill provides that any person or corporation injured or damaged by such a combination may sue for and recover in any court of the United States of competent jurisdiction, of any person or corporation a party to such a combination, all damages sustained by him. The measure of damages whether merely compensatory, putative, or vindictive, is a matter of detail depending upon the judgment of Congress. My own opinion is that the damages should be commensurate with the difficulty of maintaining a private suit against a combination such as is described.

"These two sections are distinct and different in their scope and object. The first invokes the power of the National Government, in proper cases, to restrain such a combination, by mandatory proceedings, from interfering with the trade and commerce of the country, and the second section is to give to private parties a remedy for personal injury caused by such a combination.

"A third section was added when the Bill was first reported by the Committee on Finance, which declares that all persons entering into such a combination, either on his own account or as an attorney for another or as an officer, attorney, or as a trustee or in any capacity whatever, shall be guilty of a misdemeanor, and on conviction shall be punished by fine or imprisonment, in the discretion of the court.

"The amendments, then, proposed by the Committee on Finance to the first section would be proper amendments to the third section, but not to the first, where they have no proper place. The first section, being a remedial statute, would be construed liberally, with a view to promote its object. It defines a civil remedy, and the courts will construe it liberally; they will prescribe the precise limits of the constitutional power of the Government; they will distinguish between lawful combinations in aid of production and unlawful combinations to prevent competition and in restraint of trade; they can operate on corporations by restraining orders and rules; they can declare the particular combination null and void and deal with it according to the nature and extent of the injuries.

"In providing a remedy the intention of the combination is immaterial. The intention of a corporation can not be proven. If the natural effects of its acts are injurious, if they tend to produce evil results, if their policy is denounced by the law as against the common good, it may be restrained, be punished with a penalty or with damages, and in a proper case it may be deprived of its corporate powers and franchises. It is the tend-

ency of a corporation, and not its intention, that the courts can deal with. Therefore the amendments first reported to the first section are not in the substitute.

"The third section is a criminal statute, which would be construed strictly and is difficult to be enforced. In the present state of the law it is impossible to describe, in precise language, the nature and limits of the offense in terms specific enough for an indictment. This section is applicable only to individuals.

"A corporation can not be indicted or punished except through civil process. The criminal law can only reach officers or agents employed by the corporation. Whether this law should extend to mere clerks, as was proposed in the third section, is a matter of grave doubt. The business conducted by them may be innocent and lawful, and they should not be punished or threatened for the offenses of others. I am, therefore, clearly of the opinion that at present at least it is not wise to include this section in this Bill. Such penalties may come later when the limits of the power of Congress over the subject-matter shall be defined by the courts.

"It is sometimes said that without this section the law would be nugatory. I do not think so. The powers granted by the first section are ample to check and prevent the great body of illegal combinations that may be made; but, if not, it is easy enough hereafter to provide a suitable punishment for a violation of this statute. But if the criminal section is retained the amendments first proposed by the Committee on Finance should apply only to that section, and not to the civil section. Every corporation engaged in business must be responsible for the tendency of its business, whether lawful or unlawful, but individuals can only be punished for criminal intentions. To require the intentions of a corporation to be proven is to impose an impossible condition and would defeat the object of the law. To restrain and prevent the illegal tendency of a corporation is the proper duty of a court of equity. To punish the criminal intention of an officer is a much more difficult process and might be well left to the future.

"This Bill, as I would have it, has for its single object to invoke the aid of the courts of the United States to deal with the combinations described in the first section when they affect injuriously our foreign and interstate commerce and our revenue laws, and in this way to supplement the enforcement of the established rules of the common and statute law by the courts of the several States in dealing with combinations that affect injuriously the industrial liberty of the citizens of these States. It is to arm the Federal courts within the limits of their Constitutional power that they may coöperate with the State courts in checking, curbing, and controlling the most dangerous combinations that now threaten the business, property, and trade of the people of the United States. And for one I do not intend to be turned from this course by fine-spun

constitutional quibbles or by the plausible pretexts of associated or corporate wealth and power.

"It is said that this Bill will interfere with lawful trade, with the customary business of life. I deny it. It aims only at unlawful combinations. It does not in the least affect combinations in aid of production where there is free and fair competition. It is the right of every man to work, labor, and produce in any lawful vocation and to transport his production on equal terms and conditions and under like circumstances. This is industrial liberty and lies at the foundation of the equality of all rights and privileges.

"The right to combine the capital and labor of two or more persons in a given pursuit with a community of profit and loss under the name of a partnership is open to all and is not an infringement of industrial liberty, but is an aid to production. The law of partnership clearly defines what is a lawful and what is an unlawful partnership. The same business is open to every other partnership, and, while it is a combination, it does not in the slightest degree prevent competition.

"The combination of labor and capital in the form of a corporation to carry on any lawful business is a proper and useful expedient, especially for great enterprises of a *quasi* public character, and ought to be encouraged and protected as tending to cheapen the cost of production, but these corporate rights should be open to all upon the same terms and conditions. Such corporations, being mere creatures of law, can only exercise the powers specially granted and defined. Experience has shown that they are the most useful agencies of modern civilization. They have enabled individuals to unite to undertake great enterprises only attempted in former times by powerful governments. The good results of corporate power are shown in the vast development of our railroads and the enormous increase of business and production of all kinds.

"When corporations unite merely to extend their business, as connecting lines of railway without interfering with competing lines, they are proper and lawful. Corporations tend to cheapen transportation, lessen the cost of production, and bring within the reach of millions comforts and luxuries formerly enjoyed by thousands. Formerly corporations were special grants to favored companies, but now the principle is generally adopted that no private corporation shall be created with exclusive rights or privileges. The corporate rights granted to one are open to all. In this way more than three thousand National banks have been formed with the same rights and privileges, and the business is open to all competitors. In most of the States general railroad laws provide the terms on which all railroads may be built, with like rights and privileges. Corporate rights open to all are not in any sense a monopoly, but tend to promote free competition of all on the same

conditions. They are mere creatures of the law, to exercise only well-defined powers, and are not in any way interfered with by this Bill.

"This Bill does not seek to cripple combinations of capital and labor, the formation of partnerships or of corporations, but only to prevent and control combinations made with a view to prevent competition, or for the restraint of trade, or to increase the profits of the producer at the cost of the consumer. It is the unlawful combination, tested by the rules of common law and human experience, that is aimed at by this Bill, and not the lawful and useful combination. Unlawful combinations made by individuals are declared by the several States to be against public policy and void, and in proper cases they may be punished as criminals. If their business is lawful they can combine in any way and enjoy the advantage of their united skill and capital, provided they do not combine to prevent competition. A limited monopoly secured by a patent right is an admitted exception, for this is the only way by which an inventor can be paid for his invention.

"Any other attempt by individuals to secure a monopoly should be subject to the same law of restraint applied to partnerships and corporations. A partnership is unlawful when its business tends to restrain trade, to deal in forbidden productions, or to encourage immoral and injurious pursuits, such as lotteries and the like; but if its business is lawful and open to competition with others with like skill and capital, it cannot be dangerous. A corporation may be, and usually is, a more powerful and useful combination than a partnership. It is an artificial person without fear of death, without a soul to save or body to punish; but if other corporations can be formed on equal terms a monopoly is impossible. If it becomes powerful enough to exercise an undue influence in one State it is met by free competition with producers in all the other States in the Union and by importation from all the world, subject only to such duties as the public necessities demand.

"Mr. President, I have thus far confined my argument to the statement of what this Bill does not do; that is, it does not interfere with any lawful business in the United States, whether conducted by a corporation, or a partnership, or an individual. It deals only with unlawful combinations, unlawful by the code of any law of any civilized nation of ancient or modern times.

"But associated enterprise and capital are not satisfied with partnerships and corporations competing with each other, and have invented a new form of combination, commonly called trusts, that seeks to avoid competition by combining the controlling corporations, partnerships, and individuals engaged in the same business, and placing the power and property of the combination under the government of a few individuals, and often under the control of a single man called a trustee, a chairman, or a president.

"The sole object of such a combination is to make competition impossible. It can control the market, raise or lower prices, as will best promote its selfish interests, reduce prices in a particular locality and break down competition and advance prices at will where competition does not exist. Its governing motive is to increase the profits of the parties composing it. The law of selfishness, uncontrolled by competition, compels it to disregard the interest of the consumer. It dictates terms to transportation companies, it commands the price of labor without fear of strikes, for in its field it allows no competitors. Such a combination is far more dangerous than any heretofore invented, and, when it embraces the great body of all the corporations engaged in a particular industry in all of the States of the Union, it tends to advance the price to the consumer of any article produced, it is a substantial monopoly injurious to the public, and, by the rule of both the common and the civil law, is null and void and the just subject of restraint by the courts, of forfeiture of corporate rights and privileges, and in some cases should be denounced as a crime, and the individuals engaged in it should be punished as criminals. It is this kind of a combination we have to deal with now.

"If the concentrated powers of this combination are intrusted to a single man, it is a kingly prerogative, inconsistent with our form of government, and should be subject to the strong resistance of the State and National authorities. If anything is wrong this is wrong. If we will not endure a king as a political power we should not endure a king over the production, transportation, and sale of any of the necessities of life. If we would not submit to an emperor we should not submit to an autocrat of trade, with power to prevent competition and to fix the price of any commodity. If the combination is confined to a State the State should apply the remedy; if it is interstate and controls any production in many States, Congress must apply the remedy. If the combination is aided by our tariff laws they should be promptly changed, and, if necessary, equal competition with all the world should be invited in the monopolized article. If the combination affects interstate transportation or is aided in any way by a transportation company, it falls clearly within the power of Congress and the remedy should be aimed at the corporations embraced in it, and should be swift and sure.

"Do I exaggerate the evil we have to deal with? I do not think so. I do not wish to single out any particular trust or combination. It is not a particular trust, but the system I am at. I will only cite a very few instances of combinations that have been the subject of judicial or legislative inquiry, to show what has been and what can be done by them.

"I quote from the opinion of Judge Baxter, in the case of Handy

et al., trustees, *vs.* Cleveland and Marietta Railroad Company, Federal Reporter, volume 31, pages 689 to 693, inclusive, where it appears, to quote the exact language of the learned judge:

"That the Standard Oil Company and George Rice were competitors in the business of refining oil; that each obtained supplies in the neighborhood of Macksburgh, a station of said railroad, from whence the same was carried to Marietta or Cleveland, and that for this service both were equally dependent upon the railroad, then in the hands of the receiver.

"It further appears that the Standard Oil Company desired to "crush" Rice and his business, and that under a threat of building a pipe for the conveyance of its oil and withdrawing its patronage from the receiver, O'Day, one of its agents, "compelled" Terry, who was acting for and on behalf of the receiver, to carry its oil at ten cents per barrel and charge Rice thirty-five cents per barrel for a like service, and pay the Standard Oil Company twenty-five cents out of the thirty-five cents thus exacted from Rice, "making," in the judgment of the receiver, "twenty-five dollars per day clear money" for it (the Standard Oil Company) "on Rice's oil alone."

"It also appears in an equity suit in which the Commonwealth of Pennsylvania was complainant and the Pennsylvania Railroad Company was defendant, filed in the supreme court of Pennsylvania for the western district, in the year 1879, and where A. J. Cassatt, then third vice-president in charge of the transportation department of the Pennsylvania Railroad Company, testified that the Standard Oil Company were receiving over and above current drawbacks the following rebates and allowances, namely:—

"Forty-nine cents per barrel on crude oil from the Bradford oil region to tide water, fifty-one and a half cents per barrel on crude oil from the lower oil region to tide water, and sixty-four and one-half cents on refined oil from Cleveland to tide water.

"In the year 1878 the railroad shipments of oil had reached 13,700,000 barrels. Assuming eighty per cent. of this to be the traffic of the Standard Oil Company and that but fifty cents per barrel rebate was paid by the railroad companies, the annual illegal receipts by the Standard Oil Company would have been \$5,480,000, not including the receipts of the American Transfer Company from such traffic as was not embraced within the eighty per cent. of the Standard Oil Company.

"Another case of unlawful combination was the case of David M. Richardson *vs.* Russell A. Alger *et al.*, recently decided in the Supreme Court of the State of Michigan. I have the opinion by the chief-justice which sufficiently states the nature of the combination and the view taken of it by that court. This is quite a leading case.

MR. PLATT. "What was the conclusion of the court?"

MR. SHERMAN. "They declared the combination null and void, against public policy, and refused to entertain jurisdiction to settle the accounts between the parties, because this case arose on a dispute

between two of the parties, Mr. Richardson and General Alger. They declared it unlawful and void and set aside the contract."

MR. PLATT. "If the Senator will permit me, the object of my inquiry was to make it appear clearly that the court, as at present constituted, has so decided."

MR. SHERMAN. "That was a State matter between parties living within the State and therefore did not involve any of the questions which are requisite to impart jurisdiction to United States courts under this bill."

MR. CULLOM. "Where was this?"

MR. SHERMAN. "It was in Michigan. The Supreme Court of Michigan made the decision. I have here the case of *Craft et al. vs. McConoughy*, in the Supreme Court of Illinois, reported in the seventy-ninth volume of Illinois Reports. I am showing that the State courts in different States have declared this thing, when it exists in a State, to be unlawful and void."

MR. CULLOM. "Everywhere?"

MR. SHERMAN. "In every case, everywhere, and all I wish is to have the courts of the United States do by these greater combinations what has been done already, by the courts of the States.

"In the case of *Richard C. Craft et al. vs. James O. McConoughy*, in the Supreme Court of Illinois, reported in the seventy-ninth volume of Illinois Reports, it was decided that:—

"A contract entered into by the grain dealers of a town which, on its face, indicates that they have formed a partnership for the purpose of dealing in grain, but the true object of which is to form a secret combination which would stifle all competition and enable the parties, by secret and fraudulent means, to control the price of grain, costs of storage, and expense of shipment at such town, is in restraint of trade, and consequently void on the ground of public policy."

"I will insert in my remarks the decision of Mr. Justice Craig without reading it at this time."

MR. GEORGE. "Will the Senator state what was the decision of the court in that case?"

MR. SHERMAN. "They set aside the contract."

MR. GEORGE. "The suit was to annul the contract?"

MR. SHERMAN. "To annul the contract, and they said they would treat it as illegal. This is the decision:—

"While these parties were in business, in competition, they had the undoubted right to establish their own rates for grain stored and commissions for shipment and sale. They would pay as high or low a price for grain as they saw proper and as they could make contracts with the producer. So long as competition was free the interest of the public was safe. The laws of trade, in connection with the

rigor of competition, was all the guaranty the public required, but the secret combination created by the contract destroyed all competition and created a monopoly, against which the public interest had no protection.'

" . . . I find another case, that of the Chicago Gas-Light and Coke Company *vs.* The People's Gas-Light and Coke Company, on page 531, 121 Illinois Reports, in which it appears that the Chicago Gas-Light and Coke Company was incorporated in 1849 with the exclusive privilege of supplying Chicago and its inhabitants with gas for a period of ten years. Subsequently another company, under the name of the People's Gas-Light and Coke Company, was chartered, with power to manufacture and sell gas in the city of Chicago and to erect the necessary apparatus for that purpose, with the usual provisions as to laying their pipes in the streets of the city. Subsequently the two companies divided the city between them, allowing each the exclusive right of supplying gas therein for one hundred years and stipulating that neither would interfere with the business of the other in its own territory.

"Here is the judgment of the court setting aside that contract as preventing competition, as null and void by the rules of the common law. I have only now been able to get this, but I will see that it is correctly quoted from the regular report, and will read the brief statement I have:—

"The defendant company, claiming as the assignee of the exclusive privilege in the territory set off to it, filed a bill against the other for a specific performance of the contract of assignment. The court refused the relief sought, holding "that by the grant of the second charter the legislature intended to do away with the monopoly" granted under the first; "that, although the contract involved a partial restraint of trade, and therefore might not, by the general rule of law, be invalid, yet that the general rule does not apply to corporations engaged in a public business in which the public have an interest," and that the contract was void.'

"In a recent case, that of the People of Illinois *vs.* The Chicago Gas Trust Company, which I find reported in a late paper:—

" . . . the trust combination consisted of a new corporation holding a separate charter under the general incorporation law of Illinois. In applying for its charter the Gas Trust Company stated the objects of its incorporation to be "the erection and operation of works in Chicago and other places in Illinois for the manufacture, sale, and distribution of gas and electricity, and to purchase and hold or sell the capital stock of any gas or electric company or companies in Chicago or elsewhere in Illinois." Having received its charter the company purchased a majority of the capital stock of each of the gas companies doing business in Chicago, four in number.

"The information charges that, by so purchasing and holding a majority of

the shares of the capital stock of each of the four companies, the appellee usurps and exercises "powers, liberties, privileges, and franchises not conferred by law."

* * * * *

"That by purchasing and holding such stock it secured the control of each of the companies; that such control "by the appellee, an outside and independent corporation, suppresses outside competition between them and destroys their diversity of interest and all motive for competition. There is thus built up a virtual monopoly in the manufacture and sale of gas." It also held that "a corporation thus formed for the purpose of manufacturing and selling gas . . . has no power to purchase and hold or sell shares of stock in other gas companies as an incident to the purpose of its formation, even though such power is specified in its articles of incorporation."

MR. CULLOM. "That is a recent decision."

MR. SHERMAN. "Yes, a very recent decision, and it has not yet gone into the reports. There is a still more recent case, and I am reminded of it by the remarks of the Senator from Connecticut [MR. PLATT], that of *The People of New York vs. The North River Sugar-Refining Company*, a trust which was investigated by a committee of the House of Representatives, of which Mr. Bacon was chairman, and which came before the Supreme Court of New York circuit in January, 1889, was carried to the general term in November last, and is reported in volume 2, Abbott's New Cases, page 164, both decisions being against the defendant, a member of the so-called trust company. This is a statement of the case, together with the decision of Mr. Justice Daniels in rendering judgment:—

"The case was that seventeen corporations, in at least six different States, all engaged in the sugar-refining business, arranged to transfer their stock to a board of eleven members and were to receive in return from the association shares of stock to be issued by it and to be distributed among the several corporations in proportion to the amounts of stock held by them. The profits of the business were to be divided among the holders of certificates for shares issued by the board. No limit for the duration of the association was fixed, and its capital stock was fixed at \$50,000,000. A suit was brought by the Attorney-General in the name of the people of New York against one of the associate corporations to vacate and annul its charter for "abuse of its powers" and for exercising "privileges or franchises not conferred upon it by law" by participating "in a combination with certain sugar refineries." Upon both grounds the court found against the defendant.

"Daniels, justice, in rendering his judgment, said:—

"The defendant had disabled itself from exercising its functions and employing its franchises as it was intended it should by the act under which it was incorporated, and had by the action which was taken placed itself in complete subordination to another and different organization, to be used for an unlawful purpose detrimental and injurious to the public. . . . This was a subversion of the object for which the company was created, and it authorized the Attorney-General to maintain and prosecute this action to vacate and annul its charter."

"This case may be said to be a leading case and was thoroughly discussed and considered. The opinion of the court at the general term pronounced by Mr. Justice Barrett covers the whole ground

upon which the great body of the trusts in the United States rests. The suit presented the distinct question raised by many of the contracts which are the bases of these combinations. To use the language of that Judge:—

“Any combination the tendency of which is to prevent competition in its broad and general sense, and to control, and thus at will enhance, prices to the detriment of the public, is a legal monopoly. And this rule is applicable to every monopoly whether the supply be restricted by nature or susceptible of indefinite production. The difficulty of effecting the unlawful purpose may be greater in the one case than in the other, but it is never impossible. Nor need it be permanent or complete. It is enough that it may be even temporarily and partially successful. The question in the end is, Does it inevitably tend to public injury?”

“Then follows a long and elaborate decision, and I think it is the unanimous judgment of the court—at least I see no dissent marked, and I presume it is the unanimous judgment of that high court of the State of New York—in a case which occurred only last year when it had before it this sugar company. That being a corporation of New York, it could deal with that corporation alone, but the combination was between that company and sixteen others, if I remember aright—perhaps the number was greater. In the courts of the United States all of them might have been parties, but as a matter of course the Supreme Court of New York could not extend its jurisdiction beyond the limits of its own territory.

“I might add to the cases cited innumerable cases in nearly all the States and in England, and in all of them it will appear that while the law in respect to contracts in restraint of trade and combinations to prevent competition and to advance the price of necessities of life has varied somewhat, but in all of them, whether the combinations are by individuals, partnerships, or corporations, when the purpose of the combination or its plain tendency is to prevent competition, the courts have enforced the rule of the common law and have vigorously used the judicial power in subverting them.

“And now it is for Congress to say, when the devices of able lawyers and the cupidity of powerful corporations have united to spread these combinations over all the States of the Union, embracing in their folds nearly every necessary of life, whether it is not time to invoke the judicial power conferred upon the courts of the United States to deal with these combinations—when lawful to support them and when unlawful to suppress them.

“I might state the case of all the combinations which now control the transportation and sale of nearly all the leading productions of the country that have recently been made familiar by the public press, such as the cotton trust, the whiskey trust, the sugar refiners' trust, the cotton-bagging trust, the copper trust, the salt trust,

and many others, some of which have been the subjects of legislative inquiry and others of judicial process; but it is scarcely necessary to do so, as they are all modeled upon the same plan and involve the same principles. They are all combinations of corporations and individuals of many States forming a league and covenant, under the control of trustees with power to suspend the production of some and enlarge the production of others, and absolutely control the supply of the article which they produce, and with a uniform design to prevent competition, to break it down wherever it appears to threaten their interest.

"I have seen within a few days in the public prints a notice of a combination intended to affect the price of silver bullion, as follows:—

" 'WITH A CAPITAL OF TWENTY-FIVE MILLION DOLLARS.

" 'CHICAGO, *March 2.*

" 'The Herald to-day says that, with the exception of five companies, all the refining and smelting companies of the United States have formed a trust, with a capital of \$25,000,000, of which \$15,000,000 is to be common stock and the remaining preferred.'

"If such a combination is formed it will enable a few corporations in different States, to corner the Government of the United States in its proposed effort, by a bill pending in the Senate, to purchase silver bullion as the basis and security for paper money. Can any one doubt that such a combination is unlawful, against public policy, with power enough to control the operation of your laws, and destructive to all competition which you invite? It is scarcely necessary on this point to quote further from the law books. Every decision or treatise on the law of contracts agrees in denouncing such a combination.

"Judge Gibson, in the case of *The Commonwealth of Pennsylvania vs. Carlisle*, states the general principle in terse and vigorous language:—

" 'A combination is criminal whenever the act to be done has a necessary tendency to prejudice the public or to oppress individuals by unjustly subjecting them to the power of the confederates, and giving effect to the purpose of the latter, whether of extortion or of mischief.'

"The solicitor of the Standard Oil Trust, Mr. Dodd, in an argument which I have before me, admits that certain combinations are null and void. He says:—

" 'When I speak of unrestricted combinations I do not mean that combinations should be allowed under all circumstances and for all purposes. While combination is not, *per se*, evil, its purposes may be. The law is possibly our best guide on this subject. It has progressed as experience and the necessities of business required it

to progress from the idea that all combinations were wrong to the idea that all persons should be left free to combine for all legitimate purposes. To this day, however, the law is properly very jealous of certain classes of combinations, such as—

“*First.* Where the parties combining exercise a public employment or possess exclusive privileges, and are to that extent monopolies.

“*Second.* Where the purpose and effect of the combination is to “corner” any article necessary to the public.

“*Third.* Where the purpose and effect of the combination is to limit production, and thereby to unduly enhance prices.

* * * * *

“These things are just as unlawful without combination as with it. In other words, the evil is not in the combination, but in its purposes and results.

* * * * *

“The law condemns any arrangement the purpose or necessary tendency of which is to destroy all competition and thus to prejudice the public.”

“ . . . I accept the law as stated by Mr. Dodd, that all combinations are not void, a proposition which no one doubts, but I assert that the tendency of all combinations of corporations, such as those commonly called trusts, and the inevitable effect of them, is to prevent competition and to restrain trade. This must be manifest to every intelligent mind. Still this can not be assumed as against any combination unless upon a fair hearing it should appear to a court of competent jurisdiction that the agreement composing such combination is necessarily injurious to the public and destructive to fair trade. These modern combinations are uniformly composed of citizens and corporations of many States, and therefore they can only be dealt with by a jurisdiction as broad as their combination. The State courts have held in many cases that they can not interfere in controlling the action of corporations of other States. If corporations from other States do business within a State, the courts may control their action within the limits of the State, but when a trust is created by a combination of many corporations from many States, there are no courts with jurisdiction broad enough to deal with them except the courts of the United States.

“I admit that it is difficult to define in legal language the precise line between lawful and unlawful combinations. This must be left for the courts to determine in each particular case. All that we, as lawmakers, can do is to declare general principles, and we can be assured that the courts will apply them so as to carry out the meaning of the law, as the courts of England and the United States have done for centuries. This bill is only an honest effort to declare a rule of action, and if it is imperfect it is for the wisdom of the Senate to perfect it. Although this body is always conservative, yet, whatever may be said of it, it has always been ready to preserve,

not only popular rights in their broad sense, but the rights of individuals as against associated and corporate wealth and power.

"It is sometimes said of these combinations that they reduce prices to the consumer by better methods of production, but all experience shows that this saving of cost goes to the pockets of the producer. The price to the consumer depends upon the supply, which can be reduced at pleasure by the combination. It will vary in time and place by the extent of competition, and when that ceases it will depend upon the urgency of the demand for the article. The aim is always for the highest price that will not check the demand, and, for the most of the necessities of life, that is perennial and perpetual.

"But, they say, competition is open to all; if you do not like our prices, establish another combination or trust. As was said by the Supreme Court of New York, when the combination already includes all or nearly all the producers, what room is there for another? And if another is formed and is legal, what is to prevent another combination? Sir, now the people of the United States as well as of other countries are feeling the power and grasp of these combinations, and are demanding of every legislature and of Congress a remedy for this evil, only grown into huge proportions in recent times. They had monopolies and mortmains of old, but never before such giants as in our day. You must heed their appeal or be ready for the socialist, the communist, and the nihilist. Society is now disturbed by forces never felt before.

"The popular mind is agitated with problems that may disturb social order, and among them all none is more threatening than the inequality of condition, of wealth, and opportunity that has grown within a single generation out of the concentration of capital into vast combinations to control production and trade and to break down competition. These combinations already defy or control powerful transportation corporations and reach State authorities. They reach out their Briarean arms to every part of our country. They are imported from abroad. Congress alone can deal with them, and if we are unwilling or unable there will soon be a trust for every production and a master to fix the price for every necessity of life.

"But it is said by the Senator from Mississippi [MR. GEORGE], who honors me with his attention, that this bill is unconstitutional, that Congress can not confer jurisdiction on the courts of the United States in this class of cases. I respectfully submit that, in his subtle argument, he has entirely overlooked the broad jurisdiction conferred by the Constitution upon courts of the United States in ordinary cases of law and equity between certain parties, as well as cases arising under the Constitution, laws, and treaties of the United States.

Much the greater portion of the cases decided in these courts have no relation to the Constitution, laws, or treaties. They embrace admiralty and maritime law, all controversies in which the United States are a party, controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens, or subjects.

"This jurisdiction embraces the whole field of the common law and of commercial law, especially of the law of contracts, in all cases where the United States is a party and in all cases between citizens of different States. The jurisdiction is as broad as the earth, except only it does not extend to controversies within a State between citizens of a State. All the combinations at which this Bill aims are combinations embracing persons and corporations of several States. Each State can deal with a combination within the State, but only the General Government can deal with combinations reaching not only the several States, but the commercial world. This Bill does not include combinations within a State, but if the Senator from Mississippi can make this clearer, any proposition he will make to that effect will certainly be accepted and I will cheerfully vote for his proposition. Can any one doubt the jurisdiction of the courts of the United States in all cases in which the United States is a party and in all cases between citizens, including corporations, of different States? I will read a note from Story on the Constitution:—

"It has been very correctly remarked by Mr. Justice Iredell that "the Judicial Power of the United States is of a peculiar kind. It is, indeed, commensurate with the ordinary legislative and Executive government and the powers which concern treaties. But it also goes further. When certain parties are concerned, although the subject in controversy does not relate to any special objects of authority of the General Government, wherein the separate sovereignties of the separate States are blended in one common mass of supremacy, yet the General Government has a judicial authority in regard to such subjects of controversy; and the legislature of the United States may pass all laws necessary to give such judicial authority its proper effect.

"The Judicial Power of the United States extends to all questions of law and equity which arise between citizens of different States or between the other classes named. The jurisdiction of the courts of the United States may depend either upon the nature of the cause arising under the Constitution, laws, or treaties of the United States or upon the parties to the case.

"Chief-Justice Marshall, in the case of *Cohens vs. Virginia*, 6 Wheaton, page 378, says:—

"The second section of the third article of the Constitution defines the extent of the judicial power of the United States. Jurisdiction is given to the courts of

the Union in two classes of cases. In the first, their jurisdiction depends on the character of the cause, whoever may be the parties. This class comprehends "all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." This clause extends the jurisdiction of the court to all the cases described, without making in its terms any exceptions whatever, and without any regard to the condition of the party. If there be any exception, it is to be implied against the express words of the article.

"In the second class the jurisdiction depends entirely on the character of the parties. In this are comprehended "controversies between two or more States, between a State and citizens of another State, and between a State and foreign states-citizens, or subjects." If these be the parties, it is entirely unimportant what may be the subject of controversy. Be it what it may, these parties have a constitutional right to come into the courts of the Union.'

"The same question was involved in the celebrated case of *Osborn vs. Bank of the United States* (9 Wheaton, page 738), in which it was contended that the courts of the United States could not exercise jurisdiction because several questions might arise in such suits which might depend upon the general principles of law and not upon any act of Congress. It was held that Congress did constitutionally possess the power and had rightfully conferred it in that character. Chief-Justice Marshall said there, in one of the most famous of his opinions involving grave constitutional questions:—

"A cause may depend upon several questions of fact and law. Some of these may depend on the construction of a law of the United States; others on principles unconnected with that law.'

"It was held in that case that the Bank of the United States, being created by Congress the right might be conferred upon it by Congress to sue in the Courts of the United States without respect to the nature or character of the controversy.

"The clause giving the bank a right to sue in circuit courts of the United States stands on the same principle with the acts authorizing officers of the United States who sue in their own names to sue in the courts of the United States.

* * * * *

"If it be said that a suit brought by the bank may depend in fact altogether on questions unconnected with any law of the United States, it is equally true with respect to suits brought by the Postmaster-General.

* * * * *

"Cases may also arise under laws of the United States by implication as well as by express enactment, so that due redress may be administered by the judicial power of the United States.'

"This goes to show that the jurisdiction once acquired by having the parties before the court, it extends to any kind of remedial jurisdiction, any kind of a case.

"It has also been asked, and may again be asked—

"Chief Justice Marshall says—

why the words "cases in equity" are found in this clause. What equitable causes can grow out of the Constitution, laws, and treaties of the United States? To this the general answer of the Federalist seems at once clear and satisfactory. There is hardly a subject of litigation between individuals which may not involve those ingredients of fraud, accident, trust, or hardship which would render the matter an object of equitable rather than of legal jurisdiction, as the distinction is known and established in several of the States. It is the peculiar province, for instance, of a court of equity to relieve against what are called hard bargains. These are contracts in which, though there may have been no direct fraud or deceit sufficient to invalidate them in a court of law, yet there may have been some undue and unconscionable advantage taken of the necessities or misfortunes of one of the parties which a court of equity would not tolerate.'

"By the Constitution of the United States this jurisdiction of the courts of the United States extends to all cases in law and equity between certain parties. What is meant by the words of "cases in law and equity"? Does this include only cases growing out of the Constitution, statutes, and treaties of the United States? It has been held over and over again that, by these words, the Constitution has adopted as a rule of remedial justice the common law of England as administered by courts of law and equity.

"Judge Story, in his work on the Constitution, volume 2, page 485, says:—

"What is to be understood by "cases in law and equity" in this clause? Plainly, cases at the common law, as contradistinguished from cases in equity, according to the known distinctions in the jurisprudence of England, which our ancestors brought with them upon their emigration, and with which all the American States were familiarly acquainted. Here, then, at least, the Constitution of the United States appeals to and adopts the common law to the extent of making it a rule in the pursuit of remedial justice in the courts of the Union. If the remedy must be in law or in equity, according to the course of proceedings at the common law, in cases arising under the Constitution, laws, and treaties of the United States, it would seem irresistibly to follow that the principles of decision by which these remedies must be administered must be derived from the same source. Hitherto such has been the uniform interpretation and mode of administering justice in all civil cases in the courts of the United States in this class of cases.'

"But I need not pursue the matter further. The question of the character and nature of the controversy when the proper legal parties are before the court is never entered into. In some cases, where the rules of law and equity have been modified by legislation, the courts of the United States have followed the local law as construed and administered by the courts of the State where the controversy arose, but it is clearly within the power of Congress to prescribe the rule as well as to define the methods of procedure in the courts of law and equity of the United States; so I submit that this Bill as it stands, without any reference to the specific powers granted to Congress by the Constitution, is clearly authorized under the judicial article of the Constitution. This

Bill declares a rule of public policy in accordance with the rule of the common law. It limits its operation to certain important functions of the Government, among which are the importation, transportation, and sale of articles imported into the United States, the production, manufacture, or sale of articles of domestic growth or production, and domestic raw materials competing with a similar article upon which a duty is levied by the United States.

"If this Bill were broader than it is and declared unlawful all trusts and combinations in restraint of trade and production null and void, there could be no question that in suits brought by the United States to enforce it, or suits between individuals or corporations of different States for injuries done in violation of it, it would be clearly within the power of Congress and the jurisdiction of the court. The mere limitation of this jurisdiction to certain classes of combinations does not affect in the slightest degree the power of Congress to pass a much broader and more comprehensive bill.

"Nor is it necessary to limit the jurisdiction of the courts of the United States to suits between citizens of different States. It extends also to suits by the United States when authorized by law. It is eminently proper that when a combination of persons or corporations of different States tends to affect injuriously the interests or powers of the United States, as well as of citizens of the United States, the proceeding should be in the courts of the United States and in the name of the United States. The legal process of *quo warranto* or *mandamus* ought, in such cases, to be issued at the suit of the United States. A citizen would appear in such a suit at every disadvantage, and even the United States is scarcely the equal of a powerful corporation in a suit where a single officer with insufficient pay is required to compete with the ablest lawyers encouraged with compensation far beyond the limits allowed to the highest Government officer. It is in such proceedings that the battle with these great combinations is to be fought.

"But, aside from the power drawn from the third article of the Constitution, I believe this Bill is clearly within the power conferred expressly upon Congress to regulate commerce with foreign nations and among the several States and its power to levy and collect taxes, duties, imposts, and excises.

"And here, Mr. President, I wish to again call attention to the argument of the Senator from Mississippi [Mr. GEORGE]. He treats this Bill as a criminal statute from beginning to end, and not as a remedial statute with civil remedies. He says:—

"The first thing which attracts our attention, therefore, is that if the agreement or combination, which is the crime, be made outside of the jurisdiction of the United States it is also without the terms of the law and can not be punished in the United States."

"It is true that if a crime is committed outside of the United States it can not be punished in the United States. But if an unlawful combination is made outside of the United States and in pursuance of it property is brought within the United States such property is subject to our laws. It may be seized. A civil remedy by attachment could be had. Any person interested in the United States could be made a party.

"Either a foreigner or a native may escape 'the criminal part of the law,' as he says, by staying out of our jurisdiction, as very many do, but if they have property here it is subject to civil process. I do not see what harm a foreigner can do us if neither his person nor his property is here. He may combine or conspire to his heart's content if none of his co-conspirators are here or his property is not here.

"Again he says:—

"But suppose, what I think, however, is highly improbable, some of these great combinations should be made in the United States. Will the case be any better for the people in whose interest we profess to legislate? The combination, agreement, or trusts, etc., must, under the Bill, be made "with the intention to prevent full and free competition in the importation, transportation, or sale of articles imported into the United States."

"The word 'intention' is not in the Bill. It was proposed as an amendment."

MR. GEORGE. "It was in the Bill as reported."

MR. SHERMAN. "Ah, it was proposed as an amendment."

MR. GEORGE. "By the Committee on Finance?"

MR. SHERMAN. "Yes; but the Senator treated it as being a part of the Bill. It was a proposed amendment to the Bill and was never adopted."

MR. GEORGE. "The original Bill was proposed by the Senator from Ohio."

MR. SHERMAN. "That had no such word in it."

MR. GEORGE. "That had no such word in it, but when the Bill came back from the committee it did have the word in it."

MR. SHERMAN. "But the Bill as it comes from the committee now has certainly no such word in it. It was proposed as an amendment, but has no place in the first section. The language is, 'made with a view or which tend.' The '*intention*' can not be proved, though '*tendency*' can. The tendency is the test of legality. The intention is the test of a crime.

"And so all through his speech he quotes the phrases of a 'certain specified intent,' 'specific intent,' 'penal legislation,' 'reasonable doubt,' 'indicted must be acquitted.' He treats this Bill very much as he does the Constitution of the United States, something to be evaded, to be strictly construed, instead of being what it is, a reme-

dial statute, a bill of rights, a charter of liberty. He no doubt is partly justified in this by the amendments proposed but not adopted, and by the third section, which would be subject to his criticism, and which I will join him in striking out."

MR. GEORGE. "It was an amendment proposed by the committee?"

MR. SHERMAN. "Yes. Now, Mr. President, what is this bill? A remedial statute to enforce by civil process in the courts of the United States the common law against monopolies. How is such a law to be construed? Liberally, with a view to promote its objects. What are the evils complained of? They are well depicted by the Senator from Mississippi in this language, and I will read it as my own with quotation marks."

MR. GEORGE. "I am very much obliged for the compliment."

MR. SHERMAN. "'These trusts and combinations are great wrongs to the people. They have invaded many of the most important branches of business. They operate with a double-edged sword. They increase beyond reason the cost of the necessities of life and business, and they decrease the cost of the raw material, the farm products of the country. They regulate prices at their will, depress the price of what they buy, and increase the price of what they sell. They aggregate to themselves great enormous wealth by extortion which makes the people poor. Then, making this extorted wealth the means of further extortion from their unfortunate victims, the people of the United States, they pursue unmolested, unrestrained by law, their ceaseless round of speculation under the law, till they are fast producing that condition in our people in which the great mass of them are servitors of those who have this aggregated wealth at their command.'

"One would think that with this conception of the evil to be dealt with he would for once turn his telescope upon the Constitution to find out power to deal with so great a wrong, and not, as usual, to reverse it, to turn the little end of the telescope to the Constitution, and then, with subtle reasoning, to dissipate the powers of the Government into thin air. He overlooks the judicial power of the courts of the United States extending to all cases where the United States is a party, or where a State may sue in the courts of the United States, or where citizens of different States are contesting parties with full power to apply a remedy by *quo warranto*, *mandamus*, judgment, and execution. He treats the question as depending alone upon the power to regulate foreign and domestic commerce and of taxation. I submit that, without reference to the judicial power, they are amply sufficient to justify this Bill. What are they?

" 'Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes.'

"The want of this power was one of the leading defects of the Confederation, and probably as much as any one cause conduced to the establishment of a Constitution. It is a power vital to the prosperity of the Union, and without it the Government could scarcely deserve the name of a National Government and would soon sink into discredit and imbecility. It would stand as a mere shadow of sovereignty to mock our hopes and involve us in a common ruin. (Story on the Constitution, volume 2, page 2.)

"What is the extent of this power? What is the meaning of the word 'commerce?' It means the exchange of all commodities between different places or communities. It includes all trade and traffic, all modes of transportation by land or by sea, all kinds of navigation, every species of ship or sail, every mode of transit, from the dog-cart to the Pullman car, every kind of motive power, from the mule or horse to the most recent application of steam or electricity applied on every road, from the trail over the mountain or the plain to the perfected railway or the steel bridges over great rivers or arms of the sea. The power [2462] of Congress extends to all this commerce, except only that limited within the bounds of a State.

"Under this power no bridge can be built over a navigable stream except by the consent of Congress. All the network of railroads crossing from State to State, from ocean to ocean, from east to west, from north to south are now curbed, regulated, and controlled by the power of Congress over commerce. Most of the combinations aimed at by this Bill are directly engaged in this commerce. They command and control in many cases and even own some of the agencies of this commerce. They have invented or own new modes of transportation, such as pipe lines for petroleum or gas, reaching from State to State, crossing farms and highways and public property.

"Can it be that with this vast power Congress can not protect the people from combinations in restraint of trade that are unlawful by every code of civil law adopted by civilized nations? It may 'regulate commerce;' can it not protect commerce, nullify contracts that restrain commerce, turn it from its natural courses, increase the price of articles, and therefore diminish the amount of commerce?

"It is said that commerce does not commence until production ends and the voyage commences. This may be true as far as the actual ownership or sale of articles within a State is subject to State authorities. I do not question the decision of the Supreme Court in the case of *Coe vs. Errol*, quoted by the Senator from Mississippi, that property within a State is subject to taxation though intended to be transported into another State. This Bill does not propose to deal with property within a State or with combinations within the State, but only when the combination extends to two or more States or engages in either interstate or

foreign commerce. It is said that these combinations can and will evade this Bill. I have no doubt they will do so in many cases, but they can do so only by ceasing to interfere with foreign and interstate commerce.

"Their power for mischief will be greatly crippled by this Bill. Their present plan of organization was adopted only to evade the jurisdiction of State courts. They still maintain their workshops, their mode of production, by means of partnerships or corporations in a State. If their productions competed with those of similar partnerships or corporations in other States, it would be all right; but to prevent such competitions they unite the interests of all these partnerships and corporations into a combination, sometimes called a trust, sometimes a new corporation located in a city remote from the places of production, and then regulate and control the sale and transportation of all the products of many States discontinuing one at their will, some running at half time, others pressed at their full capacity, fixing the price at pleasure in every part of the United States, dictating terms to transportation companies, controlling your commerce; and yet it is said that Congress, armed with full power to regulate commerce, is helpless and unable to deal with this monster.

"Sir, the object aimed at by this Bill is to secure competition of the productions of different States which necessarily enter into interstate and foreign commerce. These combinations strike directly at the commerce over which Congress alone has jurisdiction. 'Congress may regulate interstate and foreign commerce,' and it is absurd to contend that Congress may not prohibit contracts and arrangements that are hostile to such commerce.

"Congress also has power 'to lay and collect taxes, duties, imposts, and excises.' It may exercise its own discretion in acting upon this power, and is only responsible to the people for the abuse of the power. All parties, from the foundation of the Government, have held that Congress may discriminate in selecting the objects and rates of taxation. Some of these taxes are levied for the direct and some for the incidental encouragement and increase of home industries. The people pay high taxes on the foreign article to induce competition at home, in the hope that the price may be reduced by competition, and with the benefit of diversifying our industries and increasing the common wealth.

"Suppose one of these combinations should unite all, or nearly all, the domestic producers of an article of prime necessity with a view to prevent competition and to keep the price up to the foreign cost and duty added, would not this be in restraint of trade and commerce and affect injuriously the operation of our revenue laws? Can Congress prescribe no remedy except to repeal its taxes? Surely it may authorize the executive authorities to appeal to the courts of the United States for such a

remedy, as courts habitually apply in the States for the forfeiture of charters thus abused and the punishment of officers who practice such wrongs to the public. It may also give to our citizens the right to sue for such damages as they have suffered.

"In no respect does the work of our fathers in framing the Constitution of the United States appear more like the work of the Almighty Ruler of the Universe rather than the conception of human minds than by the gradual development and application of the powers conferred by it upon different branches of the Federal Government. Many of these powers have remained dormant, unused, but plainly there, awaiting the growth and progress of our country, and when the time comes and the occasion demands we find in that instrument, provided for thirteen States, a thread along the Atlantic and containing four millions of people, without manufactures, without commerce, bankrupt with debt, without credit or wealth, all the powers necessary to govern a continental empire of forty-two States, with sixty-five millions of people, the largest in manufactures, the second in wealth, and the happiest in its institutions of all the nations of the world.

"While we should not stretch the powers granted to Congress by strained construction, we can not surrender any of them; they are not ours to surrender, but whenever occasion calls we should exercise them for the benefit and protection of the people of the United States. And, sir, while I have no doubt that every word of this Bill is within the powers granted to Congress, I feel that its defects are in its moderation, and that its best effect will be a warning that all trade and commerce, all agreements and arrangements, all struggles for money or property, must be governed by the universal law that the public good must be the test of all."



CHAPTER LVII.

THE ' SHERMAN SILVER LAW.'—THE TITLE A MISNOMER.—SHERMAN IMPROVED THE SILVER ACT, BUT WAS NOT RESPONSIBLE FOR IT.—SECRETARY WINDOM'S PLAN.—THE SENATE AND HOUSE BILLS.—DISAGREEMENT OF THE HOUSES.—CONFERENCE.—SHERMAN A CONFERE. — MCKINLEY AND REED.—COUNTING A QUORUM.—THE REED RULES.—THEIR ADOPTION.—THE MCKINLEY TARIFF.

THE Secretary of the Treasury, in his annual report of December 2nd, 1889, said:—

"The continued coinage of the silver dollar, at a constantly increasing monthly 'quote, is a disturbing element in the otherwise excellent financial condition of the country, and a positive hindrance to any international agreement looking to the free coinage of both metals at a fixed ratio."

From this preface the Secretary proceeded, in an able and elaborate exposition, to demonstrate the folly and the danger of continuing the coinage of silver dollars under the Bland-Allison law of 1878. Between February 28th, 1878, and November 1st, 1889, there had been coined from silver bullion purchased under the direction of the law of 1878, 343,638,001, standard silver dollars. Notwithstanding, the Government shipped these dollars free of expense, to any part of the United States, when requested, and made every other effort to facilitate their circulation, yet on November 1st, 1889, only 60,098,480 silver dollars were in circulation, less than one per capita of the population. There were two hundred and eighty-three millions of them stored away in the vaults of the Treasury. Of these, two hundred and seventy-seven millions were covered by outstanding silver certificates.

The Bland-Allison law had answered a useful purpose, although upon the whole, it is doubtful if the evil did not preponderate over the good accomplished by it. The law furnished a market for a large portion of the silver product of the American mines, and a convenient form of circulation which is yet doing service. It was passed, to defeat the passage of a more dangerous proposition, the free coinage of silver. If the law had been limited to a period of time, or to a fixed maximum of coinage, or to the amount of silver that would circulate, or almost any provision whereby the gate would shut or could be closed when the danger of inundation appeared, it would have been better; it was as good, however, as could be expected under the circumstances surrounding its enactment, but like most compromises, it failed to satisfy either side. The Secretaries of the Treasury, under the discretion vested in them, had from the first, limited the amount of silver purchased to the minimum amount, viz: two million dollars worth each month provided for in the law. This action was not satisfactory to the silver men, who contended that the maximum amount viz.: four million dollars worth each month should be purchased; so that when Secretary Windom advised a change of laws, his suggestion did not meet serious opposition from any source. The silver men were willing to have the Bland-Allison law repealed, if they could substitute free coinage which they hoped to secure; those opposed to free coinage were divided, some desired the absolute suspension of both the purchase and coinage of silver, others thought there was no danger in the continuation of the law of 1878, while others still had no settled notions or policy as to the future. Against this latter class was arrayed a fertile and persistent body of statesmen, backed by a growing public sentiment and a powerful business interest, watching for an opportunity to commit the country to the free coinage of silver. It was a most perplexing situation. To keep on, was not only to continue the disturbing element referred to by Secretary Windom, but to aggravate and increase the disturbance; to turn to the left led to free coin-

age, a worse evil, and to the right lay an unexplored and unknown way.

It was at this conjuncture of affairs, that the Secretary of the Treasury recommended the passage of a law for the purchase of silver bullion, to be stored in the vaults of the Treasury and for the issuing of Treasury notes in payment for the bullion. It was the opinion of the Secretary, that no limitation should be placed on the amount received in the form of purchases or deposits, as such limitation "would have a decided tendency to prevent the normal rise in price" of silver bullion. It is quite evident from this, that Secretary Windom hoped for a rise in the price of silver, through the purchase of substantially the whole American product by the Government and that thereby silver might be brought to a parity with gold. His proposition was "To open the mints of the United States to the free deposit of silver." He recommended that the Treasury notes issued against the deposits of silver bullion should be made payable on demand, in such quantities of silver bullion as would equal, in value, at the date of presentation, the number of dollars expressed on the face of the notes, *or*, in gold at the option of the Government or in silver dollars at the option of the holder, and be receivable for all public dues, counted as part of legal reserves and when received for public dues re-issued.

The "Windom plan" did not differ materially from the Bland-Allsion law. While it would have increased twofold and more the amount of silver bullion to be purchased or received on deposit, it also relieved the Government of the burden of coining this bullion into dollars. The Treasury notes recommended, would not have differed materially from the silver certificates. The latter are redeemable in silver dollars as would have been the former at the option of the holder. After years, it is easy to see that a law, following the recommendation of Secretary Windom, would have been a blunder, but a blunder whose evil consequences would not have been as serious as flowed from the enactment of the law miscalled the "Sherman Silver Law."

On January 28th, (1890), Senator Morrill introduced in the Senate, a bill prepared by the Treasury Department and embodying the recommendations of the Secretary. The bill was referred to the Committee on Finance, and on February 25th, it reported a substitute. The substitute limited the amount of silver to be purchased monthly to \$4,500,000 worth; it also made the Treasury notes redeemable in lawful money and when so redeemed, the notes should be cancelled and it provided that sufficient of the bullion should be coined to redeem the notes in cases where their redemption in silver dollars was demanded; also that the notes should be receivable for customs, taxes and all public dues and when so received, should be re-issued and that the notes should be counted as part of the lawful reserves. The purchase clause of the law of 1878 was repealed. The Senate substitute provided for the purchase of gold bullion. When the substitute was under consideration in the Senate, Senator Sherman proposed an amendment which was adopted and became part of the law. It was the only good thing in the law proper. The principle argument for the increase in the amount of silver to be purchased, was the real or supposed need for more currency. It was urged that, by increasing the amount of silver purchased by the Government, the volume of currency would be correspondingly increased by the Treasury notes. As the law was, when the amendment was proposed, there was a fund of a good many millions of dollars, held in the Treasury as special fund for the redemption of the bills of National banks which had failed, or gone into liquidation or were reducing their circulation. Senator Sherman saw that this fund could be made available in the ordinary operations of the Treasury and thus to all intents and purposes, made a part of the circulation, and still the redemption of the bank bills as securely provided for. His amendment provided that the United States notes held in the Treasury for the redemption of National bank notes, should be covered into the Treasury as a miscellaneous receipt and that thereafter these bills should be redeemed from the general fund.

Early in the session, the same bill was introduced in the House, by Mr. Conger, who was Chairman of the Committee on Coinage. The bill was referred to this Committee and presently it reported a substitute. The House substitute was a more dangerous proposition than the Senate bill. It required the Treasury notes to be redeemed in coin and made then a legal-tender for all debts public and private and provided that when redeemed, they could be re-issued. The Secretary's plan would have been harmless compared with the possibilities of danger embodied in both the Senate and House substitutes. The "Windom plan" would have put upon the Government the burden of buying, at the market price, all the silver of the mines of the United States, but the certificates described would have been no more than warehouse receipts for the silver deposited, receipts which the Government, to facilitate their transfer, agreed to receive for customs and other public dues. This plan would have imposed no express burden upon the Treasury in respect to the redemption of the notes, except to return the silver bullion. If the holder wanted silver dollars instead of the bullion, he could have them, or if the Government saw fit, could redeem them in gold. The vice of both the Senate and House substitutes was that they increased the facilities for drawing gold from the Treasury and increased the difficulty of maintaining the gold reserve.

The substitute passed the House on the seventh of June, and went to the Senate where it was substituted for the Senate bill and thereafter the Senate debate and proceedings were upon the House bill. The bill was debated in the Senate until the seventeenth of June, upon which day, the Senate, upon the motion of Senator Plumb, of Kansas, adopted an amendment which struck from the bill the provision in respect to the purchase of silver bullion and inserted a provision for the free coinage of gold and silver at the legal ratio. The bill after being amended, passed by a vote of forty-two to twenty-five. Senator Sherman voted in the negative. The free coinage amendment was not concurred in,

by the House and the whole matter went to a Conference Committee. Senator Sherman was a member of the Conference Committee.

It may be said generally and with truth, that up to the time that Senator Sherman was appointed a member of the Conference Committee, he was not responsible for a line of the Silver Bill, except that portion which now appears in Section six of the law. . There was not a provision or a proposition in either the Senate or House bills, except as just noticed, that reflected Mr. Sherman's beliefs or that was put in to carry out his notions. He did not stand sponsor for the principle of the plan nor did he indulge the vain hope that it would solve the silver question. He was willing to support some measure which would keep the volume of currency commensurate with the needs of business and, if, at the same time, it would raise the price of silver and hold out some hope of reestablishing bimetalism in gold and silver, so much the better. But to all this, he put certain immutable conditions, viz.* that the paper representatives of the coin or bullion must have the same purchasing power as the coin represented, in short, that whatever was done, by no peradventure, must the danger of depreciated or variable money be incurred.

On this point, he said in his speech of June 5th:—

"Now, sir, I am willing to do all I can with safety, even to taking great risks to increase the value of silver to gold at the old ratio and to supply paper substitutes for both for circulation but there is one immutable unchangeable, ever-existing condition, that the paper substitute must have the same purchasing power as gold and silver coin, maintained at their legal ratio with each other. I feel a conviction, as strong as the human mind can have, that the free coinage of silver now by the United States will be a grave mistake and a misfortune to all classes and conditions of our fellow-citizens. I also have a hope and belief, *but far from a certainty*, that the measure proposed for the purchase of silver bullion to a limited amount and the issue of Treasury notes for it will bring silver and gold to the old ratio and will lead to an agreement with other commercial Nations to maintain the free coinage of both metals."

That Senator Sherman regarded himself as in no way responsible for the bill, is clearly shown by the opening words of the speech just referred to. He said:—

“The bill that was reported from the Committee on Finance seems to me like an uneasy ghost, wandering without an owner or a father, without compass or without guide, with no one to call for a vote and no one to call for a solution of the difficult question with which it assumes to deal.”

His part in the framing of the bill as a member of Conference Committee, did not make him responsible for the measure recommended. Conferees are simply the agents of their respective Houses. The two Houses had a disagreement, the Senate had passed a bill for the free coinage of silver and the House had passed a bill for the purchase of \$4,500,000 worth of silver each month. It was the duty of the conferees to secure an agreement, if possible, upon one of the propositions and, if it was not their duty, it was good sense to agree to something that would be ratified by their principals. Senator Sherman, Mr. Walker and Mr. Conger were unswervingly against free coinage. Senator Jones, of Nevada, was not adverse to free coinage but was satisfied with the purchase bill. Senator Harris and Mr. Bland were unqualified for free coinage. Mr. Bland, if he was not the god-father of the silver dollar, he had become its step-father. In this situation, it was quite easy to see that individual opinions could have but little to do in arriving at an agreement and would be but little respected in the result. The central proposition must necessarily be either free coinage or a purchase measure, some of the details could be shaped and this was the utmost latitude which the situation afforded. If Senator Jones had joined with Harris and Bland for the Senate bill, the conferees would have been equally divided. Senator Sherman sought to make the best measure he could out of the materials available or within the narrow circle of the Committee's power. An agreement was first secured, to change the amount to be purchased from dollars to ounces.

At this time the silver in the dollar piece was worth about seventy-two cents, so that the aggregate to be purchased monthly was reduced about ten per cent. at the beginning, and much more subsequently by the fall in silver.

The House proposition to redeem the Treasury notes in coin was retained. The House surrendered the provision for bullion redemption and there was inserted, the declaration that it was the purpose of the Government to maintain the metals at a parity and to that end it would redeem the notes in gold or silver as it might elect. Together these provisions, viz.: the coin redemption and the declared policy to maintain the equality of gold and silver, subsequently compelled the Government to redeem the Treasury notes in gold. There was not a provision of the bill prepared by the majority of the Conference Committee, that had not appeared in either the Senate or House bill, save only this declaration of a purpose to maintain the parity of the metals. How ridiculous therefore, is the charge that Senator Sherman was responsible for the Silver law of 1890 and that his connection with this legislation marred his reputation as a wise financier. What could he have done that would have been less harmful to the country than what was done? The law repealed the purchase clause of the Bland-Allison law and stopped the useless expense of coining silver dollars, this much was gained. But suppose Senator Sherman and Mr. Walker and Mr. Conger had obstinately refused to agree to any measure within the range of the subject-matter committed to the Conference, what would have resulted? They would have violated their duty as conferees and probably driven the House to a concurrence in the free coinage amendment. It was an important as well as a most delicate task which these conferees had to preform. The course they chose was wise and its wisdom was in no wise militated against by the fact that the measure was an unwise one. Legislation is a practical business and the sum of the good accomplished consists, in large part, in the prevention of bad measures by the passage of measures less harmful.

The course of Senator Sherman in respect to this law, under all the circumstances surrounding him and his colleagues on the Conference Committee, was eminently wise. He knew that the purchase provision of the law must, in the very nature of things, be very brief in duration. The Treasury was already glutted with silver, which the country would not receive into circulation. To add to this store, by the purchase of bullion on a continually falling market and at a corresponding loss to the Government, would constantly arouse public sentiment to the folly of such a course, and result in the speedy repeal of the law.

Prior to the passage of the "Sherman Law," there had been no express declaration of the Government as to the status of the silver certificates, except that they were receivable for public dues nor was there any defined policy as to the silver dollars themselves. They were made legal-tender and receivable at the Treasury Department in payment of public dues, but there was no law or declaration in existence which pledged the Government to maintain their parity with gold. Here was nearly four hundred millions of silver dollars, either in proper person or by substitute, acting in the circulation as full dollars and yet they were worth only seventy-two cents; a depreciated currency with no promise of the Government either to redeem them or to maintain their parity with the standard, gold. It was of infinite importance to have the Government expressly pledge itself to keep the silver equal with gold.

The Public Credit Act of 1869 and subsequent expression of like character, helped mightily in bringing the greenbacks to a par with coin and now if such an expression could be put into a statute, it would help to keep the silver dollars and the certificates on an equality with all other forms of money. The second section of the Act contained the declaration:—

" . . . it being the established policy of the United States to maintain the two metals at a parity with each other upon the present legal ratio, or such ratios as may be provided by law."

This declaration bound the Government for all time and it will stand, as one of the monuments along the pathway of the Republic, which show, that statesmen, though sometimes constrained to error, keep the Nation's honor in mind.

It has been said that Senator Sherman and his colleagues should have allowed a free coinage bill or any kind of a bill to pass and trusted to President Harrison to veto it. This would have been simply a shifting of responsibility. If a worse bill had passed and had been vetoed by the President, that would have left unrepealed the Bland-Allison law. The sum of the whole matter is, that by the passage of the "Sherman Silver Law" the purchase clause of the Bland-Allison law was repealed and a declaration, which for all time, will save the silver currency from depreciation, was enacted. To secure these, Mr. Sherman agreed to the purchase of 4,500,000 ounces of silver bullion monthly for such time as the law might stand. This lasted a little more than three years, the good accomplished will go on forever, or at least as long as the National honor is held in respect by the majority of the people. But beyond all this, the controlling reason for the efforts of the Conference Committee to formulate a measure that would pass and receive the approval of the Executive, was to defeat free coinage. Three years after, in a letter to Hon. J. H. Walker, of Massachusetts, the Senator said:—

"But the great controlling reason why we agreed to it was that it was the only expedient by which we could defeat the free coinage of silver."

The report of the Conference Committee was signed by Senators Sherman and Jones and by Representatives Walker and Conger. Bland and Harris, the other conferees, refused to sign. The report was adopted by the respective Houses and the bill approved by the President on July 14th, 1890.

The first session of the Fifty-first Congress was prolific in great measures. For six years the Democrats had controlled the House of Representatives. The attention of the country was first attracted to the new House, by the sharp contest

between two of its distinguished members on the Republican side, for the position of Speaker. The logical candidate for the office was Thomas B. Reed, of Maine. He had a superb courage, a commanding voice and presence, and to crown these two essential qualities, he was a natural parliamentarian. For some time he had been the Republican leader in all the parliamentary combats of the House. He seldom made a speech, but his remarks were the cause of almost constant discomfiture to the Democrats and a constant delight to his Republican colleagues. His wit was like the flash of the Excalibur of King Arthur. His points were not made through the labored processes of logic, and blunted in the making, but they were as sharp and vivid as a thread of lightning across a midnight sky. Mr. Reed's opponent for the caucus nomination, was William McKinley, of Ohio. Reed and McKinley had entered the Forty-third Congress together and both had served without a break, except that McKinley was unseated at the end of the first session of the Forty-eighth Congress and was out the remainder of that Congress. The biography of American statesmen would hardly disclose two other men of the first rank so widely varying in their mental qualities and habits as did Reed and McKinley. Major McKinley was little given to the running debates of the House, and when he participated in them, it was not with any marked success. But in a prepared speech and especially upon some economic question, he exhibited a breadth of understanding, and a clearness of ideas, and a style of expression which placed him in the first rank of parliamentary orators. He wisely concluded early in his Congressional career, that the shortest and surest way to succeed in Congress was to make a specialty of some subject of National legislation. He also wisely chose the tariff.

Mr. Reed secured the caucus nomination for Speaker and McKinley became Chairman of the Ways and Means Committee. The Republican majority in the House was slender, so slender that under the rules governing former Houses, no business could be done which did not meet the approval of the

minority. For many years, the rules of the House of Representatives had remained stationary, so long, indeed, that they were regarded as the perfection of reason, and to propose material changes in them, was regarded as a species of sacrilege, akin to a proposition to repeal the "Acts of the Apostles." The rules of a deliberate body, like the lower House of Congress, are supposed to have been contrived to expedite business, but experience had demonstrated that if the House rules existing prior to the Fifty-first Congress had been contrived to delay business, they would not have better answered the purpose. The minority, by the use of a series of dilatory motions, could almost indefinitely delay final action on an obnoxious measure.

Mr. Reed and the leaders of the majority side of the House, early in the session, set about preparing such amendments to the rules as would enable the majority to transact with reasonable dispatch, the public business. Only a few changes were proposed or made, but these were of vast importance. The first amendment and most important, was Clause 10 of Rule xvi. It provided:—

"No dilatory motion shall be entertained by the Speaker."

This primarily, at least, would leave with the Speaker the determination of what was a dilatory motion and give him the right to refuse to entertain any motion, which, in his judgment, was made for the purpose of delay. The second amendment and almost of equal importance with the one just noticed, was Clause 3 of Rule xv. It provided in substance, that on the demand of any member or at the suggestion of the Speaker, the names of sufficient members present but not voting to make a quorum, should be noted and that such members should be counted with those voting in determining the presence of a quorum. Prior to the adoption of this clause, members in their seats or in the Hall of the House, would abstain from voting and notwithstanding there was a quorum present and the Speaker had visual evidence of the fact, he was compelled upon the call of "no

quorum" to suspend business until a vote or a call of the House disclosed a quorum.

The third amendment was made in Clause 1 of Rule xiv. It provided that "when any member desires to speak or deliver any matter to the House, he shall arise and respectfully address himself to 'Mr. Speaker' and, on being recognized, may address, etc." This gave the Speaker an autocratic power and under the operation of this rule the members have lost much influence and power and the Speaker has become the sole arbiter of the legislation of the House. There were other amendments, but those three were the principal ones. The report of the Committee on Rules was presented by Joseph G. Cannon, of Illinois, who supported the proposed changes in a most able speech. After a long debate, the rules, with the amendments, were adopted.

The right of the Speaker to count those present, but not voting to determine the presence of a quorum, was sustained by Speaker Reed some time before the adoption of the new rules. On the twenty-ninth of January, Mr. Dalzell asked for the consideration on a resolution in respect to the election contest of Smith *versus* Jackson. Mr. Crisp raised the question of consideration. Upon a *viva voce* vote the Speaker declared the motion for consideration carried. A division was demanded and resulted in 162 ayes and 124 noes. Mr. Crisp then demanded the yeas and nays. Upon a roll-call, there were only three votes in the negative, the vote standing 162 ayes and three noes, a situation which indicated that the minority intended to break a quorum. The chairman announced "On this question the yeas are 161 and the nays 2." Before the Speaker could make further announcement, Mr. Crisp was on his feet crying "no quorum."

MR. SPEAKER: "The Chair directs the Clerk to record the following names of members present and refusing to vote."

MR. CRISP: "I appeal from the decision of the Chair."

MR. SPEAKER: "Mr. Blanchard, Mr. Bland, Mr. Blount, Mr. Breckenridge, of Arkansas, Mr. Breckenridge of Kentucky."

At this point Mr. Breckenridge, of Kentucky, vehemently cried:—

“I deny the power of the Speaker, and denounce it as revolutionary.”

The Speaker went on reading the names of members present refusing to vote. When he read the name of McCreary, of Kentucky, that gentleman cried out: “I deny your right, Mr. Speaker, to count me as present, and I desire to read the parliamentary law on that subject.” The Speaker replied in his inimitable manner, “The Chair is making a statement of the fact that the gentleman from Kentucky is present. Does he deny it?”

A long debate ensued in which Mr. Crisp, of Georgia, was the leader of the Democrats, and Mr. McKinley, of Ohio, of the Republicans. The ability displayed by Mr. Crisp in this discussion made him Speaker of the next House. For two or three weeks the Democrats, at the beginning of each daily session, would demand the yeas and nays on the approval of the journal and then abstain from voting so as to emphasize and repeat their protest against the Speaker's ruling. Finally, however, the rules were adopted and the opposition subsided and since, it has become the common practice to determine the presence of a quorum, in the manner inaugurated by Mr. Reed.

The code of rules adopted at the beginning of the Fifty-first Congress has since been commonly known as the “Reed Rules.” These rules were formulated and adopted to enable the majority side to transact the business of the House, to deprive the minority of the power to unreasonably delay the legislation or proceedings, in short, to put the majority in the saddle and to enable it to ride the course without being thrown off or diverted. But the sum of the result has been to transfer from the House to the Speaker, the power which it was supposed that the new rules would vest in the majority. Under the “Reed Rules” the majority is supreme, but the Speaker is the majority.

On the seventh of May, (1890), Major McKinley, from his place in the House, moved that the House resolve itself into the Committee of the Whole on the state of the Union, for the purpose of considering a bill to reduce the revenues, to equalize duties on imports and for other purpose. This was the bill which, after being greatly changed by Senate amendments and further amended in Conference, became the "McKinley Tariff Law." The bill passed the House on May 21st. The "McKinley Tariff Law," in three important particulars, was a radical departure from the general principle which had controlled in the making of previous protection laws.

First, it placed an almost prohibitive duty on tin-plate, an article of necessity not largely produced here, in order to encourage the production of tin-plate at home. The rate of duty of tin-plate was fixed above the point of fair protection, because several attempts to produce the article in the United States had been frustrated through the unreasonable and ruinous cutting of prices by the foreign manufacturers.

Second, it placed sugar on the free list and extended assistance and encouragement to the domestic producer by a bounty. At this time only a small portion of the total consumption of sugar was produced in the United States. The chief end aimed at, in the paying of a bounty, was to encourage its growth and manufacture into sugar, of the sugar beet. Besides the bounty, machinery for the manufacture of beet sugar, was admitted free for a period of two years.

Third, Section three of the law provided for a system of reciprocal trade, between the United States and foreign countries, in certain products. While this section, commonly called the Reciprocity Provision, did not expressly authorize the negotiation of reciprocity treaties, it contemplated that the act of the President, in suspending the operation of the free list, as to certain enumerated articles, would result in trade arrangements with foreign countries desiring to export, to the United States the articles mentioned, free of duty. It provided in substance, that any country exporting into the United States, sugar, molasses, tea, coffee or hides or any of

such articles and such countries should impose duties or other exactions on the agricultural or other products of the United States, and which duties or exactions were deemed reciprocally unequal and unjust, the President should suspend the free entrance of the articles for such time, as to him seemed just and that during the suspension, the articles should be dutiable at rates fixed. By virtue of this provision, trade arrangements were entered into between the United States and Brazil, Spain, German Empire, Salvador, British West Indies, Nicaragua, Gautemala, Costa Rica, Honduras, France, and Austria-Hungary.

During the brief time, these arrangements were permitted to continue, our trade with the countries mentioned, increased largely and when they were ended, the trade fell off correspondingly. This section was put into the McKinley Bill at the urgent solicitation of James G. Blaine. If Mr. Blaine had a specialty in statesmanship, it was to bring the two continents of the Western Hemisphere into closer commercial and political relations. The prime object of Mr. Blaine, in securing this reciprocity clause, was to enlarge our trade in agricultural products with South America and the Islands of the Caribbean Sea, but its benign influence operated to our advantage with European countries also.

When the McKinley Bill reached the Senate, it was referred to a sub-committee composed of Senators Aldrich, Allison and Hiscock. These gentlemen were not long away from the heavy task of preparing a substitute for the "Mills Bill." Upon an investigation, the members of the sub-committee found the McKinley Bill as good a vehicle for the conveyance of their tariff notions as the Mills Bill had appeared to be, and so they reported amendments which were in effect, the former Senate Bill.

Senator Sherman not being a member of the sub-committee, was not called upon to take an active part in shaping the bill for report to the Senate, but he kept in touch with the work of the sub-committee and familiar with the changes proposed.

Some portions of the Senate Bill did not meet his approval but he regarded it as being, upon the whole, a better bill than when it came from the House. He was not at all enthusiastic as to reciprocity and he did not believe that any material good would be accomplished by the provision. The debate in the Senate ran more than two months but finally the bill passed and went to a Conference Committee. The Republican conferees on the part of the Senate were Senators Aldrich, Sherman, Allison and Hiscock and on the part of the House Representatives, McKinley, Burrows, Bayne and Dingley.

A long debate ensued in the Senate on the question of adopting the report of the Conference Committee. During this time, Mr. Sherman made a long speech in support of the report. In this speech he did not attempt to deal with the exact details of the bill. It is quite evident from his speech that he was not as familiar with the rates and percentages etc., as Senator Aldrich or Senator Allison but in his historical reference and in the statement of the principles underlying and sustaining a protective tariff law, his speech was excellent. The Conference report was adopted by both Houses and on October 1st, after many months of debate, the McKinley Bill became a law.



CHAPTER LVIII.

WORK OF THE FIFTY-FIRST CONGRESS.—THE EFFECT OF THE REED RULES.—SHERMAN ON IMMIGRATION.—THE OHIO ELECTION OF 1890.—MCKINLEY'S DEFEAT.—THE STEWART FREE COINAGE AMENDMENT.—SHERMAN'S OPPOSITION.—HIS SPEECHES.—THE FORCE BILL.—CLOTURE IN THE SENATE.

THE first session of the Fifty-first Congress adjourned *sine die* on the first of October, 1890. No other session in the history of Congress will compare with this session in the number of important measures considered and disposed of, and in the amount of labor performed by the gentlemen who were honored with positions in this memorable body. On June 27th, it passed the "Dependent Pension Act," a law which has been much criticised and which has many defects; it predicates the right to a pension upon an illogical basis but after all, it seemed the only practical way to extend aid and comfort to a large number of soldiers, many of whom were needy and most of whom were deserving of the Nation's gratitude and bounty. The postal laws were amended in respect to the business of lotteries and as a result, "The Louisiana Lottery," a gigantic swindle, went out of business. A bill, to refund to the States the "Direct Tax," was considered, and at the second session of this Congress, passed. A bill to regulate Federal elections, commonly called the "Force Bill," was taken up and discussed at great length, during the session. Henry Cabot Lodge, of Massachusetts, opened the discussion on this bill in the House, with a speech which, in argument and diction, is one of the best specimens of parliamentary eloquence to be found in the debates of Congress for some years. The Anti-Trust Bill, The Silver Purchase Bill and The

McKinley Tariff Bill have already been referred to. The new rules, adopted by the House and the long debate incident to their consideration, have also been mentioned. The vast amount of legislation completed and considered during the Fifty-first Congress, proves the utility of the "Reed Rules." If the importance of the individual member was greatly diminished, as it doubtless was, and ever since has been under the operations of these rules, the general good was subserved; if the rules had not been amended, no such amount of business could have been done. While Mr. Reed was Speaker, everybody knew that he was really the House except a half a dozen gentlemen, majority leaders, who were under the pleasant delusion that they, conjointly with the Speaker, propelled and controlled the legislative machinery of the body. However, the power and influence of the presiding officer of the House is a matter determined more by the individuality of the Speaker, than from authority conferred by the rules. A physical and mental personality like Speaker Reed, would easily dominate and control the majority without rules, but the license of the minority had to be revoked. The Alien Contract Labor Law was considered at this session. The first law in respect to immigration was enacted by Congress in 1864, upon a favorable report made by Senator Sherman. The purpose of this law was to facilitate immigration, but the Alien Contract Labor Bill, by its terms, excluded all foreign laborers, mechanics and artisans who embarked under contract. At this time a considerable portion of the immigrants landing upon our shores, came under contracts of labor, for a period of time, sometimes for a period of years. These contracts were made abroad, many of them, with poor ignorant men, who had no knowledge of wages or living in this country, and their obligation created a species of slavery, besides having a tendency to reduce wages and produce a plethora of labor. Senator Sherman supported this bill in the Senate. He said the time had come when the diseased, the criminal, the pauper and the ignorant should be excluded.

The campaign in Ohio, in the fall of 1890, attracted un-

usual attention. The State legislature, which met in January, had "gerrymandered" the Congressional districts of the State, and as a result, Major McKinley was placed in a district having a normal Democratic majority of nearly three thousand. Twice before the legislature had "gerrymandered" the State, the principal object of which was to retire McKinley from Congress, but each time he had been elected against an adverse majority. The district arrangement of 1890 was palpably unfair. It combined the heavy Republican counties, and otherwise so arranged the districts that the Republicans, though they carried the State by nearly eleven thousand, elected only seven of the twenty-one Representatives in Congress. The new sixteenth district, in which McKinley resided, was made of Stark, Holmes, Medina and Wayne counties, three of which were normally Democratic, and one alone, Holmes, having a majority of upwards of two thousand. "The McKinley Tariff Law" being the great political issue of the year, the attention of the whole country was turned toward Ohio, and particularly toward the sixteenth Congressional district, where the author and master spirit of the enactment was gallantly leading his party in a contest, which he knew would end in a temporary personal defeat.

As soon as Congress adjourned, and some matters dispatched which required his presence at the Capital, Senator Sherman hurried to Ohio to engage in the campaign. His first speech was made on October 16th, at Wilmington, in Clinton county. It was Mr. Sherman's habit to prepare the opening speech of a campaign with great care, and in its delivery to confine himself as closely as possible to the prepared text. His speeches of this character were usually regarded as an authentic proclamation of his party's creed, and they were looked to for the strength and weakness of his party's conduct. His speech at Wilmington, although he had been constantly engaged with his duties in the Senate for ten months, was no exception to this rule. It was a most able defense of the legislation and conduct of his party in the first session of the Congress, just closed. He called attention to the bene-

ficient character of the Trust Act, and pointed out how it would curb the injurious combinations of wealth and capital, a situation that was then little understood or appreciated by the people generally. He presented the facts which compelled the enactment of the "Sherman Silver Law," but the major part of his argument was in defense of the new Tariff law. He illustrated, in simple language, the need of a protective tariff, and then demonstrated by facts and figures that the rates of the McKinley law were not higher than necessary to afford fair protection to American industry and labor. He showed that prices had not been increased by protection, and that ultimately, they would not be by this law. Mr. Sherman spoke almost every day or evening throughout the balance of the campaign. The canvass resulted in the election of Daniel J. Ryan, the Republican candidate, for Secretary of State, but Major McKinley was defeated by a majority of three hundred and two. During the campaign, the Democrats worked a very ingenious campaign trick in McKinley's district. Tin peddlers were sent out through the rural regions, asking the most exorbitant prices for the tin articles of common household use. Upon complaint being made of the price, the answer would be that the "McKinley Law" had increased the price of tin-ware. These political emissaries did not sell much tin-ware, but they brought grief to the heart of many a good house-wife who hoped to trade a sack of rags for enough tin-ware to last the year. McKinley was defeated, and his political enemies were jubilant. It was not the end of his public career, however, but only the passing from one field to a wider one, from one position to another of greater usefulness and renown.

For more than a dozen years before Major McKinley entered Congress, Judge Kelley, of Pennsylvania, had stood a "grim sentinel at the gate" of protection in the House of Representatives. Much as Adams and Giddings had stood in their day against slavery, Judge Kelley stood in his day against the rising tide of free-trade sentiment, but he was growing

old, and he was looking for a young man upon whom to cast his mantle. It fell upon William McKinley, of Ohio.

The second session of the Fifty-first Congress assembled on the first day of December, 1890. On the second day of the session, Senator Hoar moved that the Senate proceed to the consideration of the Elections Bill. On a yea and nay vote, the motion prevailed by a vote of forty to thirty. It was the purpose of the Democratic Senators to prevent, if possible, a vote being taken on the bill. They had no hope of defeating it on a vote, but debate and delays might accomplish the same thing. The debate on the Elections Bill ran for some days, and in the main, the Republican Senators did not participate. They were waiting for a vote. The Elections Bill had for its general object, the conferring upon Federal officials the supervision of Federal elections. Its special purpose was to secure a full and a fair vote, and an honest count in the South. For this latter reason, the bill was opposed by the Democratic party generally, but by southern statesmen, bitterly and desperately. The object of the opponents of the bill was to debate the bill to the end of the session and thus defeat it. It would have required long endurance to have accomplished the defeat of the bill in this way, but some fortuitous circumstances intervened which made it comparatively easy.

Early in the session, Senator Sherman reported from the Committee on Finance, a bill to prevent the contraction of the currency, and for other purposes. When the report was made, Senator Stewart gave notice that he proposed at the proper time, to move as an amendment, an additional section providing for the free coinage of silver. There is no question but that Senator Stewart, in offering this amendment, had no ulterior object in view. The Senator came to the relief of silver naturally, and without any malice aforethought. But this amendment was the opportunity of the opponents of the so-called Force Bill. The Democratic Senators tempted the Republican silver Senators with the proposition to displace the Elections Bill with Stewart's free coinage amendment.

On January 5th, a motion for that purpose prevailed. From the fifth to the fourteenth, the question was debated.

Senator Stewart opened the debate with a brief speech in which he said that universal bankruptcy stood on the threshold of the Nations, and that it could be averted only by adding to the standard money of the world, by the opening of the mints of the United States and Europe to the free coinage of silver. There is no question but that the Stewart amendment took Senator Sherman and his colleagues by surprise. It was a *coup d'etat*. He had introduced a bill which, if passed, would increase the volume of currency by offering an inducement to National banks to increase their circulation. It also furnished a new bond for those paid. He was, in good faith, piloting this bill through the Senate when Senator Stewart proposed his amendment. But notwithstanding, Senator Sherman immediately took the floor against the amendment and in a speech of some length, but wholly impromptu, showed that the amendment meant the silver standard and that instead of being consistent with the spirit of the bill under consideration, it was directly contrary to its true spirit, inasmuch as the free coinage of silver would retire the gold and thus contract the currency. A reading of the debate which followed, will show that it was the "Senator from Ohio" who was holding the bridge. Every Senator who arose to support the amendment or to advocate the free coinage of silver pointed his arrows at the argument of the "Senator from Ohio." Senator Teller, of Colorado, who had the misfortune to have joined to a constitutional irascibility of temper, a prejudice against Senator Sherman, which produced a deformity of judgment, attempted to answer the fair and courteous argument of the "Senator from Ohio." A mad dog, although brought up amid the most pious surroundings, will go into convulsions at the sight of holy water. The Senator from Colorado had been a distinguished member of the Republican party for more than a quarter of a century, he had supported the Resumption Act and stood with his party against all attempts to debase or depreciate

the money of the country, until the free coinage virus entered his veins. After that, no principle, or achievement of the Republican party weighed a feather's weight with him, as against the interests and behests of the silver propaganda. The achievements of its great men, men with whom he had associated, and achievements to which he had contributed honorable service, no longer evoked feelings of pride in his bosom. But Senator Sherman was a special object of his antipathy. His manner toward the Senator is fairly illustrated by the following paragraphs, taken from his speech on the Stewart amendment:—

“MR. PRESIDENT, The Senator from Ohio has occupied a high position, in this country, on finance. He has become, in certain sections of the country, where the almighty dollar is all-powerful, and where there is the grossest and densest ignorance upon financial propositions and financial questions, save and except on the mere question of discount and exchange, a financial authority. Therefore the utterances of the Senator from Ohio fall in that section of the country with great weight, not because there is anything in the statement he makes, not because there is anything in the argument he produces, but because of the accidental position he has heretofore occupied and the reputation he has made, very largely from the fact that he has been in charge of financial matters in this body for many years.”

Again he said:—

“The credit of the Government to-day, the Senator says, is on a two per cent. credit. The prosperity of this country in the last fourteen years has been phenomenal and it has been because, in my judgment, the financial policy of this Government has not been administered upon theories of the Senator from Ohio.”

Mr. Sherman asserted that, if a free coinage law was enacted, gold would cease to circulate, and we would then have a smaller volume of money than before. To this, Senator Teller replied:—

“MR. PRESIDENT, There is not a novice in finance who does not know that that cannot take place.”

Again he said:—

“The Senator has had the wonderful faculty of being on all sides of all financial questions that have ever been presented, I believe.”

To this Senator Sherman replied:—

“If so, my friend from Colorado must be in the same fix, because I have generally been on the opposite side from him upon any question he was interested in.”

The free coinage amendment was supported in debate by some of the ablest Senators, both Democrats and Republicans. The notable speeches on the Republican side for free coinage were made by Senators Ingalls, Plumb and Teller; on the Democratic side by Morgan, Jones, of Arkansas, and Daniel. Aside from some colloquial debate and a brief speech of Senator Hiscock, the burden of this contention against this proposition to commit the country to free coinage of silver, fell upon Senator Sherman. At the close of Senator Teller's speech, Mr. Sherman announced that he desired to make some reply to the observations of the Senator but would postpone it until after other Senators had been heard upon the same side.

On Tuesday, the thirteenth of January, the day before the vote was taken on the amendment of the Senator from Nevada, Senator Sherman arose and began the closing argument against the amendment. At this time it was clear that the amendment would be adopted. The debate had pretty clearly defined the line of division in the Senate, upon the question at issue, but aside from the spoken words, from the alignment of Senators, it had been demonstrated that, if there was not an agreement, there was at least an understanding between certain Senators, Democrats and silver Republicans, that the amendment should be adopted and the bill to regulate Federal elections killed by parliamentary shifts. But notwithstanding the evident hopelessness of the present struggle, upon the one side against an earnest and thoroughly organ-

ized majority, and upon his own side considerable indifference, Senator Sherman made one of the ablest speeches of his life. It must be remembered that at this time sentiment as to silver, even in the Republican party was not crystallized. This debate was one of the processes through which, finally, the great preponderating sentiment of the Nation became settled and fixed against the free coinage of silver. It was a part of that long campaign of education which ended with the defeat of Bryan and the election of McKinley, six years after. Mr. Sherman appreciated, better perhaps than any of his party colleagues, that a long struggle was about to ensue, the end of which might be far or near but whether far or near, it was a question which finally must and would be settled in the forum of the people, and not in the Halls of Congress. He made no attempt at eloquence. He set forth in plain, unvarnished English, the history of coined money and coinage legislation in the United States, from the beginning of the Government. He used the laws and systems of other countries to confirm and illustrate his conclusions.

That silver had greatly depreciated in value was not a matter of dispute. The advocates of free coinage contended that this depreciation was occasioned by a system of discrimination against silver, that it had not been given an equal chance with gold in the coinage laws of the world. By way of prophesy, they declared that if the mints of the world were thrown open to the free coinage of both metals the parity would be maintained. Mr. Sherman punctured this bubble with the point of two or three simple facts, found in our own history. He showed that a slight undervaluation of gold in fixing the ratio in 1792, had demonetized gold for more than forty years and in 1834 a slight undervaluation of silver had demonetized silver for nearly an equal period of time. He showed that no ratio would tie the metals together, so that they would circulate freely in a monetary system, unless the coinage ratio agreed with the commercial ratio and that with the then wide divergence between the coinage and commercial value of silver, it would be

impossible to coin both gold and silver and secure the circulation of both at the legal ratio. He called attention to the fact that from 1834 to 1854 the small change of the country was foreign pieces of worn and defaced silver, and that these foreign pieces had driven out of circulation, the more valuable American coins. This was while the two metals were admitted to coinage upon terms of exact equality. There was then free coinage of both gold and silver and he showed that selfishness controlled and in spite of laws and systems, the more valuable coin would be hoarded or melted and the less valuable alone would circulate and that even patriotism was not strong enough to overcome this rule. He read from the report of Mr. Gorham, Secretary of the Treasury, made in 1830 and as follows:—

“This remedy is to be found in the establishment of one standard measure of property only. The evil of having two or more standards arise as already observed, from the impossibility of so fixing their relative values by law that one or the other may not, at times, become more valuable in the market than estimated by regulation; and, when this happens, it will be bought and sold according to its market value, regardless of the law.”

He defined, or rather restated, his attitude toward the Bland-Allison Bill, and his execution of the law, while he was Secretary of the Treasury. He said the law of 1878 “was fully, fairly and openly carried out in good faith.” That in 1880, as Secretary of the Treasury, he had used \$66,000,000 of silver certificates which had accumulated in the Treasury, to buy \$66,000,000 of gold and thus added to the gold supply and strengthened the monetary system of the country and at the same time kept the certificates in circulation. He expressed the opinion that the Bland-Allison law would have better answered the purpose of its enactment and caused less disturbance in the money system, if the silver purchased had not been coined, but held in the Treasury as security for the certificates in the form of bullion. There is no doubt now but that this would have been the wiser course. The Gov-

ernment occupies the attitude of a pledgee toward this vast amount of silver in the Treasury, it will perhaps hold it perpetually, but if ever the time comes to dispose of it, the myth of a gain or senioreage will be dissipated and the reckoning will be made on the basis of its value as bullion.

The free silver advocates always and frequently turned to France. They claimed that France had free coinage, and that she had not only maintained the parity of gold and silver under the system, but prosperity as well. Senator Sherman brought into the Senate the treaty between France and the other members of the Latin Union, and demonstrated that France and the other Latin Nations had not treated silver as liberally in the rules and laws governing its coinage and use as we had. He showed that the Latin Union had done precisely as we had done in the matter of limiting the coinage of subsidiary coins, and had gone further in that it had wholly suspended the coinage of the five franc piece, the unit of value, unless the Nation issuing it, would provide for its redemption in gold. He raised a laugh at the expense of Senator Stewart, by reading an extract from a newspaper report of a speech the Senator had recently made at Eureka, in the State of Nevada, a campaign speech presumably, as it was made November 1st, 1890. From this speech, it seems that an embargo had been laid upon all legislation until silver had been taken care of. He said: "We are fond of the Tariff Bill, but we said all tariff legislation must stop until the Silver Bill was brought up." The following extract greatly amused the Senate: "Mr. Stewart said, 'For change I only want subsidiary coinage. I only want silver in bars piled up in the Treasury. Free coinage is impracticable. It is all nonsense, and men are dishonest who want it!'"

Senator Sherman further discussed the cost of producing silver, the prospect of an international arrangement for the use of both gold and silver, and he answered in detail the arguments in support of the amendment and particularly the flings made by Senator Teller in respect to his official acts. The great central point of the speech was that free coinage

would put the Nation upon the silver standard and as a result, it would in a manner disconnect us from the great progressive commercial nations of the world, weaken the public credit and reflect upon the country's honor. He closed in a peroration as follows:—

“For one, whatever may be its fate, I shall stand by the legal standards of value upon which the public and private contracts of the people of the United States have been based, and I shall fulfill them to the uttermost farthing cost, in gold or silver, or whatever it may be.”

A sublime statement of duty.

In this debate it was charged against Senator Sherman that it was through his influence that President Hayes vetoed the Bland-Allison Bill. This charge was untrue, as is shown by the letter following, written by ex-President Hayes, on December 21st 1885. The week previous “Harpers Weekly” had published a statement in reference to Senator Sherman, this called forth the letter:—

FREMONT, OHIO, Dec. 21st, 1885.

My Dear Sir:—

Perhaps I ought not to trouble you with this. The last “Harper's Weekly” says, in its notice of you, many good things—none of which could be said more strongly than I would say them. But it says of the veto of the Silver Bill:—

It was by his (Sherman's) advice that President Hayes vetoed the first Silver bill, in a message generally credited to Mr. Sherman, which was one of the strongest financial State papers in our history.

I have heard this suggestion before. I hardly know how to correct it. Perhaps you will see no objection to sending me a short paragraph correcting the error. I could show it to Mr. Curtis, and let him of his own motion, do what is proper. I have in no instance, over my own signature, made any denial of the charges based upon my actions as President. I hope not to do so. I rejoice that you are where you are, and that you have the wide and good fame that you more than deserve.

Sincerely,

R. B. HAYES.

HON. JOHN SHERMAN.

From this letter, it appears that Mr. Hayes desired to correct the false inference that Mr. Sherman had written the veto

message. He was justly proud of the message and he might be for it was a most able financial document.

On January 14th, the Senate by a vote of forty-two to thirty adopted the Stewart amendment. After this, Senator Sherman announced his purpose to abandon the bill, for the reason that he could not support it with the amendment, and that it had changed the whole spirit and effect of the legislation proposed by the Committee. The majority was made up of Democratic Senators and Republicans representing silver States, or States in close proximity to silver producing States. The minority were all Republicans except Senators Gray of Delaware, McPherson of New Jersey, and Wilson of Maryland. The bill was further amended and on the same day, passed by a vote of thirty-nine to twenty-seven, the bill did not pass the House. Immediately after its passage, Senator Hoar moved to take up the bill to regulate Federal elections, Senator Harris demanded the yeas and nays and Senator Butler moved that the Senate adjourn. Two yea and nay votes were taken, one on the motion to adjourn, and the other on the motion of Senator Hoar to proceed to the consideration of the Elections Bill. If any doubt was entertained before these votes, that an arrangement had been made to kill the Elections Bill and that the consideration was free silver, it was speedily dispelled. Jones, of Nevada, Stewart, Teller, Wolcott and Stanford voted with the Democrats on both motions, although all of them at this time, were members of the Republican party in good standing. The vote on Senator Hoar's motion was a tie and it was agreed to by the vote of the Vice-President. A day or two prior to the beginning of this session, Senator Hoar had given notice that he would ask the Senate to continue in session, when the Elections Bill was taken up, until a vote had been reached. The session lasted from twelve o'clock on Friday, until six o'clock P.M. Saturday. All through the Friday night Senators Hoar and Spooner, who had charge of the bill, struggled to secure a vote. The Democratic Senators delayed the proceedings by motions to adjourn and other dilatory tactics. Toward even-

ing of Saturday, it became evident that a further prolongation of the session was useless. On the twenty-ninth of December, Senator Aldrich had submitted a resolution to limit debate. At this point, he gave notice that on Tuesday, he would call it up for consideration. At six o'clock the Senate, after being in continuous session thirty hours, adjourned. At the close of the morning business on January 20th, Senator Aldrich moved to proceed to the consideration of his resolution to limit debate. The resolution provided in substance, that for the session when any bill, resolution or other question shall have been under consideration for a reasonable time, it shall be in order for any Senator to demand that debate thereon be closed. On such demand, no debate shall be in order and pending such demand no other motion except one motion to adjourn, shall be made. For three days, the Democratic Senators, with the assistance of the Republican silver Senators, delayed the consideration of the resolution. At this time it became evident that no progress could be made either for "cloture" or on the Elections Bill and the Republican Senators abandoned the contest.

During this session, Senator Sherman from the Committee on Foreign Relations, made an elaborate report on the subject of an interoceanic canal to connect the Atlantic and Pacific Oceans. The Committee recommended the Nicaragua route. Mr. Sherman's labors in connection with this work will be taken up in another connection.



CHAPTER LIX.

THE SHERMAN BROTHERS.—SOME OF THE CHARACTERISTICS OF EACH.—THEIR RELIGION.—THE DEATH OF GENERAL SHERMAN.—EXTREME UNCTION ADMINISTERED BEFORE HIS DEATH.—SENATOR SHERMAN'S REBUKE TO THE "TIMES."—TRIBUTES OF THE PRESIDENT, CONGRESS AND THE SOLDIERS.—THE REPUBLICAN CONVENTION OF OHIO IN 1891.—SHERMAN SNUBBED.—HIS CANDIDACY FOR RE-ELECTION.—FORAKER A CANDIDATE.—THE OHIO CAMPAIGN OF 1891.—MCKINLEY ELECTED GOVERNOR.

THE Sherman brothers, William and John, bound together not alone by the ties of blood but the tenderest affection, were yet as dissimilar in temperament and disposition as two men could be. They were alike, however, in one particular, viz.: neither enjoyed public applause in its popular manifestations. They felt:—

"While gaping thousands come and go
How vain it seems, this empty show."

And we might well imagine the General saying to his brother:—

"Come dear old comrade, you and I
Will steal an hour from days gone by,
The lusty days, the days long gone
When I was Bill and you were John."

General Sherman was fond of society. He enjoyed parties, if not too large, dinners, banquets and above all, a chat with his friends at the Club or in a quiet corner of the drawing room. He was an exceedingly entertaining conversationalist and often a very brilliant one. He had an especial aversion to making speeches and he never made a speech when he

could avoid it decently. He was popular with the ladies and his conduct toward them was always gracious and courtly. Senator Sherman's position brought him many social engagements and he discharged them pretty much as he did his official duties. He was not a Club man and did not enjoy that kind of recreation. He talked well in private conversation, but it could not be said that he scintillated as the General always did. In the latter years of their lives, the brothers read different books and thought along different lines, and yet there was no diminution of sympathy or affinity. The latter years of the General's life were years of leisure—at least he had surcease from the exacting duties of office or business. The Senator, until he laid aside the burdens of office, had no time for recreation and but little disposition for leisure and when he retired from office, he had lost the faculty of resting.

“Early in February, in the midst of the discussion of the Nicaragua Canal Bill, of which Senator Sherman had charge, he received word that the General was dangerously ill at his home in New York. He put the bill in charge of Senator Edmunds, his colleague on the Committee and immediately went to his brother's bedside and there remained until the end, which occurred at two o'clock February, 14th. The General died of pneumonia and during the last days of his illness, was unable to speak. There were no spoken words between these men, who for nearly three score and ten years, had loved and admired and cherished each other in a way that even brothers seldom do: then the parting came, the—

“Farewell; a word that must be, and hath been —
A sound that makes us linger; yet —
farewell.”

The day before his death, the children of the General had extreme unction administered at his bedside, according to the ritual of the church to which they belonged. A newspaper reporter, who thereby, not only violated the constitutional right of people to observe whatever form of religion they

see fit, but as well the plainest rules of decency and good taste, made the incident the subject of a sensational article for the New York "Times." He alleged that the ceremony was performed secretly, without the knowledge of Senator Sherman and that he would not have permitted it, if he had known it was to be performed. This trespass upon the privacy of a family at a time of the deepest distress, met a prompt and merited rebuke at the hands of Senator Sherman. He wrote a note to the "Times" and among other things said:—

"Certainly, if I had been present, I would, at the request of the family, have assented to, and reverently shared in an appeal to the Almighty for the life here and hereafter of my brother, whether called a prayer or an extreme unction, and whether uttered by a priest or a preacher, or any other good man who believed what he spoke and had an honest faith in his creed."

Senator Sherman often said that in matters of religion, if a man had a doubt as to the form or church, he should adhere to the beliefs of his mother. As is well known, both General and Senator Sherman were Protestants, although neither of them were close communicants to any form of the Episcopal church. But General Sherman, like his brother, felt that the mother of his children would be a better guide and counsellor in their religious education, than he could be and hence they were brought up in the Catholic faith by the mother. At any rate, the forms are only the visible signs of a religion. All the Christian churches follow the same Master and extract their creed from the same book. The Sher-mans were not indifferent to the substance of religion, but only, if indifferent at all, to its multitudinous forms. In 1880, Mr. Sherman had occasion to outline his attitude in respect to the churches. In a letter dated March 1st, 1880, to Honorable George H. Foster, of Cleveland, Ohio, he said:—

My Dear Sir:—

Your note of the 20th is received. I appreciate your kindness and frankness and will be equally frank with you. There is not a shadow of

ground for the suspicion stated by you. I was born, bred, educated and ingrained as a Protestant and never had any affinity, direct or indirectly, with the Catholic church but share the common feelings and prejudices of Protestants against the special dogmas and rules of the church. Still I believe that the Catholics have as good a right to their opinions, their mode of worship, and religious beliefs as we have, and I would not weaken or impair the full freedom of religious belief, or make any contest against them on account of it for all the offices in Christendom. I have no sympathy whatever with the narrow dogmatic hate and prejudice of Mr. Cowles, on this subject, though no doubt much of this is caused by the unfortunate fact that his daughter has become a Catholic, and I am charitable enough to take this into consideration when thinking of him. Mrs. General Sherman, it is true, is a Catholic. She was born so and will remain so. She is a good Catholic, however, in good wishes and good works, but has also too much of the dogmatism and intolerance of a sectarian for my ideas. She neither claims to have, nor has any sort of influence over me. It was a mean business to get up such a prejudice against me, when men are so ashamed of it that they are afraid to avow it.

Very truly yours,

JOHN SHERMAN.

As a conclusion of the whole matter of his religious belief, the following paragraph from his "Recollections" is quoted:—

"The writer of this has a firm belief in the Bible as the only creed of religious faith and duty, and willingly accords to every human being the right to choose his form of worship, according to his judgment but in case of doubt, it is best to follow the teachings of his mother."

The death of General Sherman was the occasion of universal sorrow and mourning throughout the country. Both Houses of Congress paid tribute to his memory in resolutions of respect and condolence. President Harrison in the proclamation announcing his death, said among other things:—

"His career was complete; his honors were full. He had received from the Government the highest rank known to our military establishment, and from the public unstinted gratitude and love. No word of mine can add to his fame."

But the truest, tenderest grief was that of the old soldiers, who had followed him from Atlanta to the Sea. If the old

warrior could have known, above the tribute of the President or of the Congress or the general sorrow of the Nation, he would have appreciated the silent tear that stole down the withered cheek of an old comrade, who stood by the wayside as the body of his great Captain was borne along to sleep beside his wife and children on the banks of the river.

Next to Grant, General Sherman was the most illustrious soldier of the Civil War, but so modest was he, as to the great honors which so thickly clustered about him, that he felt prouder of the loyal friendship of his soldier boys, than he did of the bloody victory of battles or the wreck and waste of his army. And in return, the boys loved him as no other commander was ever loved by his soldiers. How fitting, therefore, was it that at his request, last at his tomb were the old soldiers of Ransom Post—and we can well imagine that the first to greet him were the old comrades on the other side.

Senator Sherman was naturally proud of his brother's career. But above the splendid achievements of the General as a soldier, he valued the modest virtues which he exhibited in the common relations of life. In a tribute spoken after the death of his brother the Senator said:—

“It was the good fortune of General Sherman to have been a chief actor in this great drama, and to have lived long enough after its close, to have realized and enjoyed the high estimate of his services by his comrades, by his countrymen and by mankind. To me, his brother, it is a higher pride to know and to say that in all the walks of private life—as a son, a brother, a husband, a father, a soldier, a comrade, or a friend—he was an honorable gentleman, without fear and without reproach.”

These beautiful words appear in an address delivered by Senator Sherman on the sixth day of February, 1892, before the Commandry of the Military Order of the Loyal Legion of New York and in commemoration of the life and career of General Sherman.

In April, Senator Sherman visited the State Capital and

while there, called upon the legislature then in session. It had been his habit for many years, to pay his respect to the legislative bodies of his State at least once each year, unless something prevented. There was no politics in this visit. The legislature was Democratic and had already elected Calvin S. Brice as his colleague in the Senate.

During this visit and while the Senator was exchanging greetings with the members of the House of Representatives, a very amusing incident occurred—Mr. Sherman had gone to the Senate accompanied by Governor Campbell and a committee of Senators. After the reception was over and the Senator and Governor Campbell had made some agreeable remarks, he was escorted to the House. After some ceremonies there, the House recessed a few minutes, to give the members an opportunity to pay their personal respects. The Senator stood on the right of the Speaker's stand, with one of the Senators of his district by his side, to give introductions if any were needed. But it was supposed that every member of the House knew Senator Sherman or, at least, every one would know from the demonstration, that he was some important personage. As the Members were filing along, shaking hands and exchanging greetings, one of the members from Summit County approached. As he came up looking somewhat surprised, as if he did not know what it was all about, he said to Mr. Sherman: "What might your name be?" Mr. Sherman also surprised said "Sherman, Senator Sherman." The Member passed on, a sadder but wiser man.

Much had been said prior to this, however, in respect to the Senator to be elected by the succeeding legislature. Senator Sherman had made no announcement of his intentions nor any effort to shape matters toward a reelection. It is well known to his intimate friends, that he was at this time indifferent to another election and never would have entered upon a contest for reelection, had not some subsequent developments in the politics of the State, put him on his mettle. Many of the leading newspapers of the country and among these, many Democratic papers, had already announced that

Ohio would be recreant to her duty to the Nation, if she did not return Sherman to the Senate. The Republican State Convention was to be held in June. The Republicans had already decided upon their candidate for Governor. The day Major McKinley was defeated for Congress, the substantially unanimous sentiment of his fellow Republicans of the State called him to be their candidate for Governor.

The Convention convened for a two days' meeting on the sixteenth of June. Honorable Robert M. Nevin, of Dayton, was temporary chairman by selection of the State Central Committee. His speech was eloquent and brilliant. The General sentiment of the Convention was that Senator Sherman should be made permanent chairman. It was a matter that Mr. Sherman had not thought of, and he was in no sense a candidate for the position. In this, as in everything else, he was willing to discharge the duties of the place if called to it. Just here was the first manifestation of the plan which Governor Foraker and his friends had contrived to regain control of the political machinery of the State, and to elect him Senator to succeed John Sherman. Under the guise of rewarding General Asa S. Bushnell for his liberal contributions to the campaign fund, a number of Republicans pressed him as a candidate for permanent chairman. These gentlemen were active, earnest and vociferous. They argued that Senator Sherman had multiplied honors and that this was a little distinction which the friends of General Bushnell desired to confer upon him—that it would be very ungenerous in Mr. Sherman to stand in the way, and so on for quantity. However, Mr. Sherman knew nothing of all this, and the moment it came to his knowledge, he peremptorily declined to allow the use of his name, and requested that General Bushnell be selected. The Committee on Permanent Organization then selected General Bushnell permanent chairman, and he presided over the permanent deliberations of the Convention.

Governor Foraker nominated Major McKinley in a speech of great brilliancy and force. Indeed it was a masterpiece, and perhaps the finest speech of the many fine speeches made by

Foraker. The following paragraph will illustrate the force and propriety of the utterance:—

“We must select for our standard-bearer that man who, above all others, can most surely command our undivided strength. We must have for our leader a fit representative of our views with respect to every living issue, and one who, in his record and his personality, is the best type we have of the illustrious achievements and the moral grandure of Republicanism. We must have a sure place in the confidence and in the affections of the Republicans of Ohio. He must be able, because of their esteem for him, to command not simply their unfaltering but their enthusiastic support. Such a leader we have. It is not my privilege to point him out; it is no man’s privilege to point him out. That has already been done. By common consent all eyes have turned in the same direction. One man there is, who, measured by the exigencies of this occasion, stands a full head and shoulders above all his comrades—and that man is William McKinley, Jr.”

The nomination was made by acclamation. Major McKinley appeared before the Convention and accepted the nomination in a fitting speech. He was greeted with the wildest enthusiasm. It seemed marvelous that a plain, unimpassioned man could inspire such a tribute of applause, but after all, the assemblage discerned in him the quality of which men of destiny are made.

Prior to the meeting of the Convention, Senator Sherman had been invited to deliver a speech to the Convention. In response to the invitation, he carefully prepared a speech in which he set forth in strong terms, the history and achievements of the Republican party. Such a speech was needed at this time, and no one could do it better than he. He was present when the party was born and he had given it his powerful support for nearly forty years. Some of its most illustrious achievements were his work. And yet there was a scheme on foot to prevent his speaking. It succeeded to an extent. The “Ohio State Journal” asked permission to print the speech, and it was handed over, but the Convention desired to hear from Sherman whether the gentlemen pulling the strings did or not, so after McKinley’s speech a great

shout went up for "Sherman!" "Sherman!" He responded not in the carefully prepared address, but in a few appropriate remarks. The next morning the "Ohio State Journal" printed his prepared speech. Of course it need not be said that either Major McKinley or Governor Foraker had a part in the scheme just referred to; it was contrived by a click of machine politicians who hoped to supplant the old order with a newer and fresher one.

Out of these incidents grew the determination of Senator Sherman to stand for reëlection to the Senate. It must not be inferred that he was inspired by the ignoble feeling of personal resentment; nor that he had determined previously not to be a candidate to succeed himself. When he was re-elected in 1886, it would have been personally pleasing to him to have had Governor Foraker as his successor, if circumstances had shaped themselves to such an end. At this time his mind was plastic and if it had been the desire of his party or the wishes of his close friends, that some younger man should succeed to the office he had held so long, he would have undoubtedly acquiesced. It is very certain that he would not have entered into a struggle to retain it.

About the time Congress adjourned and while Mr. Sherman was still in Washington, the "Cincinnati Enquirer" published, and it claimed to have it from authentic sources, that Mr. Sherman would not be a candidate for reëlection. Whether this was done to draw a declaration from the Senator as to his intention, or start other candidates into the field, or what not, it had no foundation in anything he said, because he had said nothing upon the subject. He made no denial of the publication but went on in the usual and even tenor of his way.

After the adjournment of the State Convention, however, he gave his friends to understand that he would be a candidate. From that on it was understood that he and Governor Foraker would be contestants for the Senatorship. No one could justly question the propriety of Foraker's candidacy, but it was the consensus of opinion that it would have been in

better taste to have allowed the experienced and aging statesman to hold undisturbed to the end, the honors which he had so richly earned, and the office which he had so honored and embellished.

There was no serious contest in the nomination of candidates for the Legislature in the various counties and districts of the State, at least, none occasioned by the Senatorial contest. Senator Sherman was willing that the local organizations should nominate such candidates as reflected the sentiment or preference of their constituents. If the county or district was clearly for Foraker, he made no attempt to manipulate the Convention against him. And where the sentiment or preference was clearly for himself, he sought by all proper means to secure that sentiment, a proper representative. Mr. Sherman had always been especially popular in Cincinnati, the home of Governor Foraker. There was a large German element in the population, and this element trusted and followed him implicitly because of his sound money views. The Germans liked him also because he was not narrow and fanatical on the temperance issue. The business men of the city were his friends, and it goes without saying, that the rank and file of the party were friendly. Hamilton County, of which Cincinnati is the capital, had at this time, thirteen members of the legislature. Early in the summer, it was rumored about the State that through the manipulation of George B. Cox, a local politician, the delegation would be made solid for Foraker. If true, Senator Sherman regarded this as an unjust interference by Cox; he thought the issue too great to be controlled by a city politician whose instincts and education debarred him from appreciating anything but the personal side of it. He knew also that such a disposition would be contrary to the sentiments of the Republicans of the county, that he was entitled to and would get a share of the county's members, if the will of the people was not suppressed or diverted. With the view of ascertaining the facts, if possible, he went to Cincinnati and had a conference with Foraker and Cox. Foraker said that if Cox held such purpose, it was without

his knowledge. Cox said that the Hamilton County delegation would probably be divided between Sherman and Foraker, and so the matter rested until after the election.

Notwithstanding Major McKinley's immense popularity, the success of the Republican party was by no means assured. The farmers were restless and dissatisfied. The prices of agricultural products were falling and there was a deep seated belief that the toilers in the fields and on the farms were not receiving their share of the productive profits of the country. The tide of free silver sentiment was rising, and rising rapidly. The wind of demagogues blew this tide across the fields and over the farms and many farmers, even of the Republican persuasion, believed that upon its swelling bosom, their ship would come in. McKinley was minded to run the campaign upon the tariff issue, and ignore the money question. He did not seem at first to appreciate that the two great issues of American politics, tariff and money, had been alternating for years, and that this year money was to the fore. In fact there was a pretty strong notion current that the Republicans, in making the McKinley law, had rather overdone the tariff business. Its beneficent effects had not yet become apparent. Societies were being organized among the farmers, called the "Farmers Alliance." Ostensibly these were to advance the interests of agriculture, but they were in reality Democratic aid societies—not so by intent of the farmers themselves—but by manipulation of politicians.

The real issue of the campaign made Senator Sherman the leader of the Republicans. McKinley's agreeable personality shielded him from the poisoned arrows of the enemy. His disposition toward silver had been complacent, and his record with respect to it did not arouse the enmity of the silver men. But Senator Sherman was made the objective point—the bloody angle if you please, of the Democrats' attack. He was charged with being the arch-conspirator of a conspiracy, with respect to and to secure the enactment of seven great laws or policies, through which the people had been robbed and then sold into slavery. He made a thorough canvass of

the State. He discussed the money question — principally the silver phase of it, but he never omitted to praise the McKinley Tariff law and to speak in the highest terms of its author. He wrote letters for publication, and in one of these he referred to the McKinley law as follows:—

“The McKinley law, as now framed, though it may be open to criticism as to details, is a strictly protective measure fair and just as applied to all industries, with ample provisions to secure reciprocity in the exchange of domestic productions for articles we cannot produce. It ought to be thoroughly tested by the experience of several years.”

In another published communication he said:—

“I would do anything in my power to advance the market value of silver to its legal ratio to gold but this can only be done in concert with other commercial Nations. The attempt to do it by the United States alone would only demonstrate our weakness.

* * * * *

My greatest obligations have been to the farmers of Ohio and I would be unworthy of their trust and confidence if I did not beseech them to stand by the financial policy which will secure them the best results for their labor and productions, and the comfort and prosperity of all classes alike.”

During the campaign, Major McKinley and Governor Campbell held a joint debate at Ada. It presented the anomalous feature of a debate without an issue. Governor Campbell did not believe in free silver and did not agree with the money plank of the Democratic party; he therefore did not want to discuss the money question but he was anxious to break lances with the great champion of protection over the McKinley law. McKinley was just as anxious to discuss the money question alone and avoid the tariff as the main issue, and so the discussion proceeded. Naturally therefore, each one had the advantage of the other, upon the issue he discussed and the respective sides retired from the battle-ground, believing that their champion had extinguished his opponent. This election was one of the turning-points in the contest between

the money standards. The Democrats were sanguine of victory. There was plainly a discontent abroad, and from its manifestations, was as plainly against the Republican party. The Congressional elections of the previous fall seemed to condemn the McKinley law. But the Republicans carried the State by a plurality of 21,511 and this was largely owing to the personal popularity of Major McKinley, to his unprecedented canvass of the State, and to the speeches and influence of John Sherman.

If, at this time, Ohio, the State of Chase and Sherman, had turned its face in worship to the fair white god, one of whose hands was said to hold the horn of Plenty, and the other the magic wand of Prosperity—what might have happened?



CHAPTER LX.

SHERMAN THE SIXTH TIME ELECTED SENATOR.—GOVERNOR FORAKER
HIS OPPONENT.—EXCITING SCENES OF THE CONTEST.—THE
AFTERMATH.

ON MONDAY, the seventh of December, 1891, the National House of Representatives organized. It was found on assembling, that the Republican membership had so diminished that it would scarcely make a respectable minority. Mr. Reed was given the merited honor of a renomination for Speaker, but his party could only muster eighty-three votes in support of his candidacy. However, Ohio had come back to the Republican fold and as a consequence, before the happy greetings and the new resolves of the New Year were fairly said, the Republican politicians of the State were on their way to the Capital. The Legislature about to convene, was to elect a Republican successor to John Sherman. For years, so many that most of the men assembling did not remember when it was not so, Senator Sherman had been reëlected without opposition. If the clans gathered, it was only to ratify the action of the Legislature and to extend congratulations or say "God speed." When he was younger, much nearer the meridian of his life and power, he had vanquished Schenck and Bingham, but now, at nearly three score and ten, he was to contest for the election with an opponent who was young, ardent, popular and versatile, and whose candidacy was in the hands of the most skillful politicians of the State. The Legislature was to meet on January 4th, and a week later the first ballot for the Senator would be taken.

Senator Sherman was not a politician as has already been

observed. He either confided too much in the word of gentlemen whom he believed entitled to credit, or he felt that his position would not permit him to enter into a contention with respect to the fact. When Governor Foraker assured him that the Members and Senators from Hamilton County were not or would not be nominated under pledge, as to the Senatorial election so far as he had knowledge, he assumed, as he had a right to, that the Governor knew the facts. There is no doubt but that Foraker's statement was accurate—he had no knowledge of the arrangement. The statement of George B. Cox, that that delegation would probably be divided between Sherman and Foraker, was wholly inconsistent with the existence of a pledged delegation, and Senator Sherman accepted the statement, as he had a right to do, as an assurance that the thirteen Senators and Representatives from Hamilton County would be free to vote for whom they pleased. Immediately after the election, Cox announced that the entire delegation was for Governor Foraker. In this connection, claims were widely circulated that with the solid vote of Hamilton County, there were enough pledged votes besides, to insure the nomination of Foraker. Soon after the election, a large number of the legislators-elect announced their preference, but to the very last, a sufficient number remained silent or unpledged to leave the result in doubt.

The character of contestants and the uncertainty as to the final issue, made this one of the most intensely interesting Senatorial contests which had occurred in the country up to that time. The relations of the candidates added interest to the situation. In two National Conventions, both fresh in the minds of the people, Governor Foraker had nominated Senator Sherman for President. In the last one, he had said that the Ohio Republicans would stand by the "old man" as long as he had a button on his coat, and they had done so. While Sherman did not claim to have discovered Foraker, yet he had taken great interest in his rising and brilliant career, and in many campaigns had given his earnest and loyal support to the Governor's candidacy for office. For two years

or more after the National Convention of 1884, Sherman and Foraker were in full sympathy with respect to Ohio politics, and their personal relations were the most friendly. It is well known to Mr. Sherman's intimate friends, that at this time he desired Foraker to succeed him in the Senate some time, and that of all the younger generation of Republicans, he preferred that Foraker should wear his mantle when he should put it off. It is also well known that the attitude of McKinley in the National Convention of 1880 and 1884, had not pleased Senator Sherman. There was one man, an important factor in this Senatorial contest, but yet not important in the apportionment of the great honors of Ohio, because he then neither sought nor seemed heir to them, whose loyalty to Sherman never swerved and whose support never lagged in those days—this man was Marcus A. Hanna.

The Neil House, west of the Capitol, across High Street, was the scene and the center of the preliminary conflict. Foraker and his lieutenants occupied a number of rooms at the head of the first flight of stairs and opening out on a broad corridor. To reach Sherman's rooms, one had to pass along this corridor and turn to the right, along a hall from which his headquarters fronting on High Street, were entered. Foraker's candidacy was in charge of George B. Cox and Charles L. Kurtz—the latter had been the Governor's Secretary and was, if not the most, one of the most skillful political manipulators of his time. He was soft and gentle, and charged with being somewhat unscrupulous as to means and methods. He had a score or more of active, influential politicians at his command and in his service. Among these was General Asa S. Bushnell and W. S. Cappeller.

Sherman's fortunes were in charge of Marcus A. Hanna, and he was assisted by a number of able men—among them, might be mentioned, General Charles H. Grosvenor, afterward distinguished as one of the Republican leaders in the National House of Representatives, Judge A. C. Thompson, Chas. F. Dick, since risen to great prominence, Henry C. Hedges, the old law partner and personal friend of Mr. Sherman, William

M. Hahn, an experienced politician and a neighbor and friend of the Senator, and Captain D. W. Wilson; but there were many others who rendered valuable service whose names cannot be mentioned from lack of space.

Senator Sherman was detained in Washington, until after the thirtieth of December, by the marriage of his niece Rachel Sherman, the ceremonies of which were solemnized in the Senator's residence. When he arrived in Columbus, he found the Neil House full of excited Republican politicians divided into warring camps. He was greeted with enthusiastic demonstrations by his supporters, and with respect by those arrayed temporarily against him. A few who were nursing personal grievances and disappointments, took advantage of the occasion to vent their spleen, but upon the whole, the contest was carried on and ended without personalities, and with such moderation as to leave no serious wounds, or breach in the party.

The first real test of strength resulted in Sherman's favor and this was correctly interpreted to presage his election in the end, although the end, by no means, came then. There was a Sherman and there was a Foraker candidate for Speaker, but neither of them commanded or represented the exact strength of the respective sides. Honorable L. C. Laylin, of Huron County, one of the counties of his Congressional district, was the Sherman candidate. Honorable J. Frank McGrew, the son-in-law of General Asa S. Bushnell, was the Foraker candidate. Honorable Harry M. Daugherty, the representative from Fayette County, intended from the beginning to vote for Sherman, but on grounds of personal friendship, voted for McGrew for Speaker. Out of this incident, grew a legislative investigation. It was charged that Mr. Daugherty had corruptly given his vote to Sherman. The fabric of charge rested upon the fact, that because he had voted for the Foraker candidate for Speaker and then voted for Sherman, he had been corruptly influenced. Mr. Daugherty, within a day or two after the Senatorial election, arose in his place in the House and

demanding an investigation of his conduct, and denounced the charge as false. The public notice of the slander attracted the attention of Mr. Sherman at Washington, and he wrote Mr. Daugherty the following letter:—

SENATE CHAMBER, WASHINGTON, }
January 18, 1892. }

HON. H. M. DAUGHERTY,

My Dear Sir:—I noticed in Saturday's "Journal" that you intended to push to a trial some of the men who most unjustly libeled you and indirectly libeled me. I think so clear and strong a case of gross injustice ought to be punished if the laws can furnish relief, and I sympathize with you and will stand by you in the effort to reach the guilty parties. No one can know better than I, the frank, manly and disinterested course you pursued in the contest for the organization of the House, and the election of Senator, and no one can know better than I, how false the imputation made against you was.

I am glad to say that in the whole contest, I never used a dollar of money to corrupt or influence the vote or judgment of any member of the Legislature, and that the charge you received, or were to receive, \$3500.00 or any other sum, is absolutely false and malicious. Whenever you desire me to testify to this, I will gladly do so.

Very sincerely yours,

JOHN SHERMAN.

It is sufficient to say that a committee of investigation completely exonerated Mr. Daugherty.

A caucus of the Republican members was held in the Hall of the House of Representatives, on Saturday, January 2nd. This was the pivotal point of the contest, and naturally attracted the most intense interest. Converging upon this meeting were the eyes of thousands. Some looked in amazement upon the temerity of the young Achilles who would strip the mantle of wisdom and experience from the shoulders of the old Agamemnon to wear it himself. Others looked to see if a State, whose brightest star had been set in her firmament by the Shermans, would under the seductive spell of eloquence, pluck it down. It will be remembered that at this time, the public career of Governor Foraker had not presented to the

general vision, that superb complement of talents and equipoise of judgment, which it subsequently exhibited. The caucus opened behind closed doors. McGrew was placed in nomination for Speaker and then Laylin. The balloting commenced in an atmosphere of intense suspense. The Sherman managers had counted a majority for Laylin but it was small. The roll-call was completed. A man ran down the Capitol steps, across High Street and as he burst into the room of a grim old man seated at a table, he shouted with what little breath he had left, "Laylin is nominated." "Well, well," said John Sherman "that's good," and went on smoking a mild cigar as though nothing of extraordinary moment had happened. Four days later the Republican Senatorial caucus was held, and Senator Sherman was nominated; the vote being fifty-three for Sherman, thirty-eight for Foraker, one for McKinley and one for Foster. On the twelfth of January, he was duly elected Senator for the term beginning March 4th, 1893. He had served as Secretary of the Treasury for four years, and yet within a period of thirty years, he had been elected Senator six times.

Governor Foraker accepted his defeat in a generous spirit, and tendered his congratulations to Senator Sherman and the Republican party, in eloquent and gracious words. Immediately after the nomination of Senator Sherman, both candidates were invited to appear before the caucus, and they were escorted to the Hall of the House of the Representatives by a committee appointed for that purpose.

Senator Sherman thanked the Senators and Members for the unexampled honor which they had done him, and closed his brief speech with the following words of compliment and encouragement for his opponent:—

"He is entitled to the love and affection of the people of Ohio, and if you have given me this high honor because of my experience, you have not underrated the high qualities, mental and moral, of Governor Foraker. Although you have engaged in this friendly contest, we are all Republicans and I trust ever will be Republicans, true to

our cause, and true to the principles we advocate. I again return to you, as the Senators and Representatives of our State, my thanks for this almost unequalled honor."

Governor Foraker closed his remarks with the following words:—

"Without any disposition to criticise or find fault in the slightest degree but only as an excuse in so far as that may be necessary for enlisting in a cause that has been crowned, not with success, but with defeat, let me say to these friends, that when we entered upon it, I did not foresee some of its features. I was not aware then, as we since have come to know, that we had to fight not only the Republicans of Ohio, who were against us, but because it was grand old John Sherman on the other side, and with him the whole United States of America. The Senator has said he don't want any more contests like this. I thank him for the compliment, and vouch to you that I don't want ever again to cross swords with a Sherman."

After the Senatorial election, Senator Sherman returned to his place in the Senate, to very soon take up again the contest against propositions for the free coinage of silver.

Before Mr. Sherman arrived in Washington, after his reelection to the Senate, his Ohio friends and others had inaugurated a movement to give him a reception and greeting when he should return. The preparations were in charge of members of the Ohio Republican Association, and the reception was to be held in the National Rifle Armory, and under the auspices of this Ohio organization.

The meeting was set for January 30th. Many of the Ohio people in Washington attended and many people who did not come from Ohio. Democrats were there vieing with Republicans in doing honor to the distinguished Republican guest. Michael D. Harter, the Democratic member of Congress from Mr. Sherman's district, delivered an address in which he took occasion to pay a high tribute to his friend and neighbor, as a man and a citizen. Mr. Harter was also in accord with Mr. Sherman's views on the money question, and afterwards rendered the country valuable and

conspicuous service in the repeal of the Silver Purchase law. Postmaster-General Wanamaker made an address, and, in kindly and felicitous language, joined in the tribute. To succeed and then to be thus cordially greeted by his old Ohio friends, gave Mr. Sherman the most pleasurable feelings, and he responded in a vein which showed how well it was with him at this time, and how sincerely grateful he was.



CHAPTER LXI.

THE BEGINNING OF THE FIFTY-SECOND CONGRESS.—POLITICAL OUTLOOK.—THE NICARAGUA CANAL.—SHERMAN'S CONNECTION WITH CANAL LEGISLATION.—TREATY WITH NICARAGUA WITHDRAWN FROM SENATE BY CLEVELAND.—THE PANAMA ROUTE RECOMMENDED.—SHERMAN INTERVIEWED AS TO JOINT CONTROL WITH ENGLAND.—THE CHINESE EXCLUSION ACTS.—THE TREATY WITH CHINA.—THE GEARY ACT.—SHERMAN'S OPPOSITION.

WHEN the first session of the Fifty-second Congress convened, the country was enjoying the fruits of an abundant prosperity, and yet the signs of the times did not point with any certainty to the continuation in power of the Republican party. Unrest disturbed, and dissatisfaction had seized upon the labor organizations of the country. Strikes had become numerous, and these had been taken up by politicians and agitators, and exhibited as the natural fruits of Republican rule, and caused by Republican legislation. The laboring men were told that the McKinley law had greatly increased the profits of their employers, and that they were not getting a just share of the gains. The argument was made, and with effect, that the new Tariff law had not materially increased wages, yet it would and had materially increased the cost of living.

The passage of the Sherman Silver law, under which more than the whole American silver product was being purchased by the Government at its market price, had not allayed, as it was hoped, the demand for the free coinage of silver. The Congressional election, of the year previous, had inspired the Democratic party with confidence of victory in the Presidential election. This confidence was strengthened by the fact that, the Executive and the Senate being Republican, no serious harm could be done the country by the Democratic House of Representatives.

When the two Houses of the Fifty-second Congress convened, on the seventh of December, 1891, their respective membership stood politically as follows: The Senate, forty-seven Republicans, thirty-nine Democrats, and two Farmer's Alliance, or Populists, as they were afterwards designated; the House two hundred and thirty-six Democrats, eighty-eight Republicans and eight Farmer's Alliance. The House organized by the election of Charles F. Crisp, of Georgia, as Speaker.

President Harrison, in his annual message, directed attention to the fact that the dire results predicted of the McKinley law had fortunately not been realized. He said:—

“It is not my purpose to enter, at any length, into a discussion of the effects of the legislation to which I have referred; but a brief examination of the statistics of the Treasury, and a general glance at the state of business throughout the country will, I think, satisfy any impartial inquirer that its results have disappointed the evil prophecies of its opponents, and in a large measure realized the hopeful predictions of its friends. Rarely, if ever before, in the history of the country has there been a time when the proceeds of one day's labor, or the product of one farmed acre, would produce so large amount of those things that enter into the living of the masses of the people. I believe that a full test will develop the fact that the Tariff Act, of the Fifty-first Congress, is very favorable in its average effect upon the prices of articles entering into common use.”

He said further:—

“I think that there are conclusive evidences that the new tariff has created several new industries, which will, within a few years, give employment to several hundred thousand American working men and women. In view of the somewhat over-crowded condition of the labor market of the United States, every patriotic citizen should rejoice at such a result.”

The first session of the Fifty-second Congress enacted no important legislation, aside from the usual appropriation bills, except a measure excluding Chinese immigration, and commonly called the “Geary Act.” This session was an unusually long one, and during the long and tedious course many questions were discussed. As usual, the silver question was to the fore. On the thirtieth of March Senator

Morgan introduced a resolution containing a series of propositions, and directing the Finance Committee to investigate the propositions, and make report to the Senate. His alleged purpose in the submission of the propositions was to instruct the Committee to bring a bill for the free coinage of silver, and for other financial remedies, but the real purpose was that his resolution furnished the proper introduction to a financial debate. Before the Senate settled to a discussion of the propositions of the resolution, or to any financial question, Senator Sherman called attention to the fact that a debate upon a resolution of this character could not eventuate into anything profitable, and that, if gentlemen who desired to change the existing legislation, would submit a definite proposition, in the form of a bill, it could be discussed with some hope of accomplishing something. And finally, to bring the Senate to a vote upon some definite question, he moved that the Morgan resolution be laid on the table. Senator Teller, as usual, finding some improper personal motive in the conduct of those who did not agree with him, accused Senator Sherman with an attempt to stifle debate in the Senate, and he referred to the Aldrich resolution, of the previous Congress, as evidence. This resolution, by its terms, only applied to the remainder of the session in which it was introduced, and its purpose was to limit debate in a single bill, viz.: the Federal Elections Bill. The debate in the Senate upon the Morgan resolution, or questions incident to it, ran along for several weeks. The debate was almost daily being thrust in the way of other business, and if it did not defeat other more important business it was projecting the session far into the summer. The Senate voted down Mr. Sherman's motion to table the resolution. Finally, on the twenty-sixth day of May, the Morgan resolution was put aside by a motion that the Senate proceed to the consideration of a bill introduced by Senator Stewart (S. 51), providing for the free coinage of gold and silver. This bill had been referred to the Committee on Finance, and reported back with an adverse report. The report was on the Calen-

dar. The motion prevailed, and the Senate began a discussion of another specific proposition for the free coinage of silver. The vote stood twenty-eight yeas, and twenty nays. The debate was opened with a few remarks by Senator Stewart, in which he criticised a statement of the Senator from Ohio, as to the amount of silver that was shipped in a particular year to India. Senator Teller followed in a long speech, nearly the whole of which was occupied in attacks upon the argument, or attitude, of the Senator from Ohio. He opened his speech by saying that he felt constrained "after the remarks of the Senator from Ohio," and he closed by the assertion that "the question is big enough for the Senator from Ohio." The Senator from Ohio this time, as before, was the objective point of the attacks of the silver advocates, who seemed to think that if he could be beaten down their cause might succeed.

At two o'clock on the thirty-first day of May, Senator Sherman began a long and exhaustive speech against the proposition of the Stewart Free Coinage Bill. His views of the question involved have been set forth so often that it is not necessary to refer to this speech, more than to say that, although it covered the same ground as previous efforts, and dealt largely with the same material facts, yet it was the clearest and most powerful presentation of the arguments against free coinage of silver that had been made up to that time. He spoke most of the afternoon, and at four-thirty o'clock the Senate adjourned. At two o'clock on the next day, June 1st, he continued his speech to the end. One of the points made by the Senator was that the free coinage of silver would bring the Nation to the single silver standard, and expel from the circulation the gold coins, and all forms of money redeemable in or exchangeable for gold. On this point he said in part:—

"No man governed by the ordinary selfish motives of individuals will ever pay in gold when it is worth more than silver. They did not pay in silver when silver was worth more than gold, according to the legal ratio, and the converse of that proposition is equally

true. There is a law of finance as universal as the law of the Ten Commandments, and that is, that when there are two standards of value, or two means of payment, the cheaper one will be used, and the dear metal will be either exported to where it is more valuable, or it will be hoarded or kept in the control of the owner. We plain people distinguish between a ragged bill and a good, fresh, crisp bill, because we would rather carry the crisp bill than the ragged one. It is the natural instinct of human nature, among all people, to select the poorer metal for payment to others, and keep the best himself.

"I believe that is the law of selfishness, which is the universal law. It is sometimes called the Gresham law, because a famous man in England, in the time of Queen Elizabeth, who was not only a high financial authority, but held high offices in Great Britain, proclaimed the simple principle that the cheaper money will always displace in circulation the better money."

Just before the vote was taken on the passage of the bill, Senator Stewart proposed a substitute which reduced the measure to a simple proposition for the free coinage of silver bullion into standard dollars, authorized by the Bland-Allison Act of February 28th, 1878, and to repeal the Silver Purchase Act of July 14th, 1890; Senator Morgan proposed an amendment, which authorized the Secretary of the Treasury to proceed to coin all the silver bullion in the Treasury purchased with silver or coin certificates. The substitute and the amendment were adopted, and the substitute as amended, passed by a vote of twenty-nine yeas to twenty-five nays. The bill went to the House and the House refused to consider it.

Notwithstanding the long discussion of the silver question during this session of Congress, and the several attempts in previous Congresses to enact a free coinage law by the Democratic party, it was evident at this time that the money question would not be the issue in the approaching Presidential campaign. In 1884 the Democratic party, in National Convention, had declared:—

"But in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. . . .

Moreover many industries have come to rely upon legislation for successful continuance so that any change of law must be at every step regardless of the labor and capital thus involved."

In 1888 it had made the declaration, that Custom-House taxation should not exceed the difference between the cost of labor here and labor abroad, in producing the article taxed, thus recognizing the principal basis of a protective tariff. In the National platform, adopted 1892, it declared as follows:—

"We denounce the Republican protection as a fraud upon the labor of the great majority of the American people for the benefit of the few. We declare it a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only."

And thus did the Democracy abandon, for the time being, the contest for free silver, and staked the issue upon a demand for free trade. This issue was foreshadowed by the events of the time and naturally Congress, as the campaign approached, took up the discussion of the tariff. Some months before the debate about to be noticed, the Finance Committee of the Senate began the investigation of the question of prices and wages. It was a non-partisan inquiry to determine, from the most reliable sources available, whether the prices of certain commodities which entered into the living of the people had increased or decreased, and whether wages had increased or decreased under the operation of the McKinley law. The report showed a decrease in the price of the commodities, and an increase in the wages. Senator Aldrich presented the report with an able speech, in which he contended that the actual sales showed how groundless were the charges that the McKinley law had increased the cost of living. This drew from Senator Carlisle a reply. Senator Carlisle's speech was one of the clearest, ablest and fairest anti-protection speeches ever delivered in Congress. He frankly conceded that the investigation showed a decrease in prices and an increase in wages, but he contended that this result was not attributable

to the Tariff law, but to general improved methods of business and production. Senator Carlisle's speech was learned, refined, and from his premises, logical.

At the end of Carlisle's speech, Senator Proctor made a few remarks upon a particular branch of the subject, and then without any especial preparation, Senator Sherman replied to it. Senator Sherman's answer to the great argument of the Senator from Kentucky, was not really an answer because it did not pretend to match with logic, the logic of Carlisle; it was a plain but most powerful statement of the facts and reasons which, in his judgment, justified the imposition of tariff duties for protection. Mr. Sherman did not deal so much in the refinements and philosophy of the tariff, as he did in simple demonstrations and results. A student of the science of economics would follow the evolutions of Senator Carlisle's argument with delight, but any man of ordinary intelligence would comprehend and appreciate the simple straightforward statement of John Sherman, and the same man would utterly fail to grasp the processes, or appreciate the steps by which Carlisle reached his conclusions. The tariff had been extensively discussed in the House during this session. The House had considered and passed a number of bills repealing the duties on certain articles, as fixed by the McKinley law, and placing these articles on the free list. Some of the more important of these articles were the following: wool, tin-plate, cotton-bagging, cotton-gins and cotton ties. These bills were referred to the Finance Committee of the Senate, but no action taken on them in the Senate, except some discussion upon motions to relieve the Committee of the further consideration of the measures.

The President recommended that the Government of the United States guarantee the payment of the bonds of the Maritime Canal Company, a company then engaged in the digging of an inter-oceanic canal from Greytown, on the Gulf side, to Brito, on the Pacific. In 1884 a treaty was negotiated between the United States and Nicaragua, by the terms of which the Government of Nicaragua granted to the United

States the right to construct a canal across her territory, and when opened, to have complete control of it. This treaty was submitted to the Senate by President Arthur, but unfortunately the Senate failed to ratify the treaty during this session, and immediately upon the inauguration of President Cleveland, he withdrew the treaty from the consideration of the Senate, upon the ground that the building of a canal upon foreign territory would compel the United States to defend the territorial integrity of Nicaragua, and thus involve the Government in an "entangling alliance inconsistent with the declared policy of the United States." The real difficulty, however, was the Clayton-Bulwer Treaty, which will be referred to hereafter, but no effort was made by the Executive to secure the abrogation of that treaty or its modification, to the extent necessary to permit the United States to construct and control the canal, a thing freely and graciously conceded when a modification was subsequently requested of the British Government. The failure did not abate the determination, nor discourage the spirit for an inter-oceanic waterway, but the treaty, for the time and for years, turned the project into the hands of a private company.

This Company, in 1891, had done considerable preliminary work, and already expended some four or five millions of dollars. But it was quite evident by this time that the work was too stupendous for a private company to handle. The bonds to raise the necessary funds would probably sell at a large discount, and if the canal was ever completed, it would be at such a cost as would necessitate such heavy tolls and charges as would greatly militate against, if not destroy, the benefits of the canal. If the Government was behind the bonds, they would sell at par, and it was believed the Government would be protected by giving it the right to be subrogated to the rights of the bondholders, in case it was called upon to pay the bonds. But it was not so much a question of money, although that was important enough, as a question of Government connection with the opening and control of the canal. The opening of an inter-

oceanic waterway was not merely to create a domestic public utility, it was to make a new path for a large portion of the commerce of the world, and the world was interested in it. The influence of a private company was wholly inadequate to such an enterprise, particularly as it must be opened and operated beyond the territorial jurisdiction of the Government. In 1887, after the failure of the Treaty of 1884, a company of American gentlemen acquired liberal concessions from the Governments of Nicaragua and Costa Rica to open and operate a canal from ocean to ocean, through and over the route by Lake Nicaragua. Congress incorporated the company under the name of the Maritime Canal Company. When the inadequacy of this Company for the work became apparent, it turned to the Government for help. For some years prior to 1850, the Government of Great Britain was acquiring territory and securing rights in Nicaragua, at the mouth of the San Juan River. The evident purpose was to control the building and operation of the canal by the way of the San Juan River and Lake Nicaragua, to the Pacific Ocean. This led to diplomatic intercourse between the Governments of the United States and Great Britain, the result of which was the Clayton-Bulwer Treaty—a Treaty which pledged both Governments to abstain from any attempt to secure exclusive control of territory in Central America. This Treaty, from the American standpoint, was an inexplicable blunder. The Monroe Doctrine precluded Great Britain, or any European Government, from acquiring sovereignty over territory in that quarter without the consent of the United States. This Treaty not only seemed to divide the control of the canal with Great Britain, but it was in effect a consent that that Government might build and control the canal, if it did not assume exclusive control of it. The American Representative no doubt believed that he was securing a valuable concession when Great Britain conceded a joint control, and that he was securing a desirable alliance in the matter of the canal, but the sequel showed the contrary, and for a time this Treaty seemed an insuperable obstacle

in the way of the United States becoming in any beneficial manner connected with the opening and control of a canal.

The violation of a treaty was neither safe nor a pleasant thing to contemplate. It was thought that the Government might afford financial aid and not infringe the treaty obligation, but the question arose as to whether or not the Government could safely advance money or guarantee bonds without being able to extend protection to the property, or exercise control over the canal.

During the last session of the Fifty-first Congress, the Senate had referred a bill to aid the Canal Company, to the Committee on Foreign Relations, with instructions to investigate the subject and report. The matter was investigated, and the work of preparing a report assigned to Senator Sherman, Chairman of the Committee, and Senator Edmunds and Senator Morgan. An elaborate report was prepared by the Senators named, and presented to the Senate January 10th, 1891. Accompanying the report, was a bill by the terms of which the United States was to guarantee the bonds of the Canal Company. This report was the most exhaustive and satisfactory statement of the questions in connection with and the condition of the canal project that had been made up to that time. Investigation had been made into the engineering problems connected with the work, and as to the comparative merits of the two principal routes, viz.: the Panama and the Nicaragua routes, but no satisfactory statement as to the legal, commercial and financial conditions had been made prior to this report presented by Senator Sherman. The bill, recommended by the Committee, and commended by President Harrison in his message, was a safe and wise proposition upon the theory of the construction of the canal by a private company; the theory was wrong, but still it was the only practical one while the Clayton-Bulwer Treaty stood in the way of the direct participation of the Government. At this time there were but few opinions opposed to the Nicaragua route. The stupendous failure of M. de Lesseps, and

the waste of more than a half a billion francs, in the attempt to construct a canal across the Isthmus of Panama, seemed to demonstrate, if not the impracticability of the Panama route, the superior merits of the Nicaragua route. The Fifty-third Congress authorized the appointment, by the Secretary of War, of such persons as were competent to make a thorough investigation and survey, to determine the practicability and cost of a canal across Nicaragua. Bills were introduced in Congress, considered and discussed, but yet no real progress was made toward the beginning of a canal. In 1898, however, a new policy was entered upon, and that was, that a canal should be constructed by the United States. The Fifty-fifth Congress appropriated a million dollars to pay the expenses of a Commission to investigate and report as to the most practicable and feasible route. A Commission was appointed by the President, with Rear-Admiral Walker at its head, and after a thorough investigation, reported in favor of the Panama route, but found it occupied by the Panama Canal Company. In the meantime, a treaty was negotiated with Great Britain by which all obstacles were removed, and the United States left free to construct and operate a canal. There was nothing to do but buy the rights of the Panama Canal Company, and secure concessions from the Government of Columbia, or take the Nicaragua route.

On the seventh of January, 1902, the House passed a bill to construct a canal upon the Nicaragua route. In the Senate a substitute was proposed by Senator Spooner, and adopted. This provided for the purchase of the rights and property of the Panama Company, and directed the President to negotiate with the Columbian Government, for a treaty to construct a canal across the Isthmus of Panama. The substitute was agreed to by the House, the Treaty made, the Canal Company's rights and property purchased for \$40,000,000, and the agreement made to pay the Government of Columbia \$10,000,000 for the concession. At this point, the Columbian Government, thinking that the United States was fast in the purchase of

the Canal Company's rights, and committed to the Panama route, sought to raise the price. Panama, one of the States of the Columbian Confederation, and over whose territory the canal route lay, seceded on account of the refusal of the Central Government to ratify the treaty, and established a separate and independent Government of her own. A treaty was thereupon entered into, between this Government and the United States, by the terms of which the necessary concession was made, in consideration of the payment of \$10,000,000.

In the latter part of 1898, a movement was started in Congress to join with Great Britain in the construction of the Nicaragua Canal, and when built, should be jointly controlled and defended by the two Governments. Senator Sherman had been a friend of the canal for many years, but he always insisted that it should be an American institution, and that if it was to be controlled and protected by any Government, it should be under the control and protection of the United States alone. At this time, he was out of office, but so greatly interested was he, that he submitted to an interview, upon the subject of control of the Canal, which was widely published. In this interview he said:—

“We should not admit England into partnership with the United States. We should build the canal, own and control it. As far as the Clayton-Bulwer Treaty is concerned, we may now admit that the Treaty has been abrogated not only by our pacific acts, but by the acts of England herself. It would be the worst kind of business folly to admit England into a business partnership with ourselves. It should not be forgotten that England at the present moment, is our greatest commercial competitor. True, the day is not far distant when she will take the second place in the commercial world, but in the meantime, it is not necessary for us to deliberately give her equal chances with ourselves in any public enterprise. The American people will never consent that this Government should enter into any compact with England, in a matter promising such future importance to America. I have always been in favor of the construction of the canal. I wrote the latter half of the first report ever made upon it. Senator Morgan wrote the introduction. It has been said that we could not raise sufficient money to build the canal. That is the sheerest nonsense. We can go into the markets of the world and borrow all the money needed at three per cent. per an-

num, and our bonds will command a premium over every commercial market in the universe. The completion of this canal will mark a new era in American commerce, and I trust I may live long enough to see it completed."

As already narrated, Mr. Sherman had rendered most efficient service toward the building of the Pacific Railroads—a project which required courage, and above all foresight. The iron rails of these roads conquered time and distance, and bound the people of the then far-off Pacific States, in closer bonds to their older homes, and sister States in the east. He had contributed as much toward the building of an inter-oceanic canal; this, when completed, will furnish another bond to bind the States together, and will be the realization of the dream of centuries—a western water-way to the Orient.

At this session, the "Geary Act," prohibiting the immigration of Chinese to this country, was passed. The Senate passed a bill, extending the law of 1882 for a period of ten years, and containing some additional provisions to guard against fraud and evasions of the law. The House then passed the bill which afterwards became known as the "Geary Act." It was a most drastic measure, and unquestionably violated the provisions of the Treaty of 1880 with China. In the conflict between the Houses, the whole matter went to a Conference Committee composed of Dolph, Sherman and Morgan, on the part of the Senate, and Geary, Chipman and Hall, on the part of the House. The Conference Committee, by the votes of Dolph, Morgan, Geary and Chipman, recommended the passage of the Geary Bill. The subject of Chinese immigration has been one of the most difficult problems with which Congress has had to deal. For many years the merchants of the United States desired, and sought the privilege of trading in the Chinese Empire. After long negotiation, the Burlingame Treaty of 1868 was agreed to between China and the United States, by the terms of which, the rights of residence and travel was secured to the people of each Nation in the other, to the extent granted by either Na-

tion to other Nations. As a result of this, commerce and communication increased between the two Nations; Chinese immigration increased also, and most of it into the Pacific Coast States. Very soon there arose a cry from that quarter against the Chinese; these States demanded of Congress legislation which would prohibit any further influx from the land of Confucius. A treaty was negotiated between the Nations in 1880, by which China agreed that the Government of the United States might, "whenever in the opinion of the Government of the United States, the coming of Chinese laborers to the United States, or their residence therein, affects or threatens to affect, the interests of that country, or endanger the good order of said country, or any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, *but may not absolutely prohibit it.*" Under and consistent with the terms of this Treaty, Congress had enacted laws to limit, regulate and suspend the right of Chinese persons to settle in this country. The law of 1882 provided that all Chinese laborers should be excluded, but the law excepted merchants, travelers, etc. It further provided that those already in the country, of the forbidden class, could return to China or leave this country, and upon securing a certificate they might return. There is no question but that this law was evaded, but still it afforded relief to a large extent. The Geary Bill made it unlawful "for any Chinese person or persons, whether subjects of the Chinese Empire or otherwise, as well as those who are within the limits of the United States, and who may hereafter leave the United States and attempt to return," except diplomatic officers and their attachés and servants, to come to this country.

Senator Sherman opposed the Geary Bill because it was a violation of the Treaty of 1880, in that it provided for absolute prohibition of Chinese immigration. He was favorable to an extension of the law of 1882, for a period of ten years, with amendments to improve its execution. He made

an able argument in support of his position, and of the minority report of the Conference Committee.

There is no question but that it was good policy to shut the gate in time against the danger of pollution from the Chinese tributary to our stream of civilization, but after all, Senator Sherman was right in his opinion that the Nation's faith should be kept as a paramount consideration. The report of the Conference Committee was finally adopted by both Houses, and the Geary Bill became a law.



CHAPTER LXII.

BLAINE RESIGNS AS SECRETARY OF STATE.—A CANDIDATE FOR PRESIDENTIAL NOMINATION.—THE REPUBLICAN NATIONAL CONVENTION OF 1892.—THE RELATIONS OF HARRISON AND BLAINE.—HARRISON NOMINATED.—THE CAMPAIGN.—SHERMAN'S PART.—HE INTRODUCES A BILL TO REPEAL SILVER PURCHASE LAW.—HE OFFERS AN AMENDMENT FOR LOW INTEREST BOND TO MAINTAIN GOLD RESERVE.—THE DEBATE.

ON THE fourth of June, 1892, three days before the Republican National Convention of that year convened, James G. Blaine, Secretary of State, resigned from the Cabinet of President Harrison. In February, Mr. Blaine had written a letter to the Chairman of the Republican National Committee declining to be a candidate for the Presidential nomination. This left the field clear for President Harrison. The Blaine men, however, did not relinquish hope that Mr. Blaine would yet consent to be a candidate, and as a consequence, they did not abate their efforts to mould and influence sentiment in his favor. Their persistent efforts in this direction, and the seeming impropriety of Blaine's candidacy against his chief, while retaining his position in the Cabinet, caused a friction between him and the President, which terminated in his unexpected and abrupt resignation. This action, on the part of the Secretary of State, was correctly interpreted to mean that he would permit his friends to use his name in connection with the Presidential nomination. From this on Mr. Blaine assumed an attitude of discrete silence, which left his friends free to pursue whatever course they thought best, calculated to secure his nomination. This was the most disastrous blunder of

his long public career, and can be accounted for only upon the theory that disease had impaired his almost infallible judgment in political affairs. In 1884, he was indifferent to the nomination because he was impressed with the belief that the election was not certain, although the surface indications pointed toward a Republican victory. In 1888, when he could have secured the nomination by simply consenting to be a candidate, he peremptorily declined. But now, in 1892, while the current was strongly against his party, he resigned his high office with unseemly haste, and allowed himself to be thrown into a contest where defeat seemed probable—humiliating defeat by his own party, or defeat at the election.

The Convention assembled at Minneapolis, on the seventh of June. William McKinley, of Ohio, was made permanent Chairman. For three days before and up to the time the nomination of Harrison was determined by a ballot, there was an intense struggle between the friends of the President and the friends of Mr. Blaine, a struggle characterized by bad feeling, and charges of indirection and ingratitude against Blaine. In this contest, the President had greatly the advantage. The delegates had been selected while Blaine was apparently the friend and supporter of Harrison, and, while a large number were not friendly to the renomination of Harrison, they had no candidate and no organization. The only man around whom they could rally, with any show for success, was a Harrison delegate—that man was William McKinley. When Mr. Blaine resigned from the Cabinet, a tremendous effort was made to rally the discontented and dissatisfied elements in the party, and in the Convention, to his support. A brilliant and eloquent young Senator was selected to place his name before the Convention. The crowd now, as ever, was for Blaine. His badges inscribed "The Peoples' Choice," greatly predominated. Harrison had a powerful political organization, held together by the cohesive force of office; Blaine had no office-holders at his command, but to the great masses of the Republican party, he was still the

"Plumed Knight," and around his name clustered much of the chivalry and romance of his party.

On the fourth day of the Convention, the nominating speeches were made. Senator Edward O. Wolcott, of Colorado, nominated Blaine in a speech of appealing eloquence. It was evident from the start, that the galleries were for Blaine. Every point of Wolcott's speech was greeted with wild applause from the galleries, but it was noticeable that the response from the delegates was not in proportion to the demonstration made by those who could not influence the nomination by their votes. The venerable statesman, Richard W. Thompson, of Indiana, immediately took the stage, and nominated Harrison. His speech invoked from the delegates a tremendous demonstration—one that clearly indicated Harrison's nomination, unless something was done to change the current. A Minnesota delegate seconded the nomination of Blaine, but the response was feeble, and it looked as if the Blaine tide had ebbed, but, at this point, a beautiful and graceful woman arose near the Chairman's table, and waving a white parasol, proposed three cheers for Blaine. This was the beginning of an immense and prolonged demonstration. It lasted thirty minutes, and was a splendid tribute to the beauty and grace of a woman, and the talent and popularity of a man. At the time and upon the surface, it looked as if it might presage the nomination of Blaine, but it turned out to be a magnificent farewell to him who had many times stood near the throne, but was fated never to ascend it.

Blaine's friends had made much of the claim that whatever of success had attended President Harrison's administration, was largely due to his brilliant Secretary of State. This point was met by Chauncey M. Depew, who seconded Harrison's nomination, in a bit of brilliant eloquence rarely surpassed. After reciting, in vivid language, the things accomplished by the Harrison administration, he said:—

"The main question which divides us is, to whom does the credit of all this belong. Orators may stand upon this platform, more able and eloquent than I, who will paint in more brilliant colors, but they

cannot put in more earnest thought, the affection and admiration of the Republicans for our distinguished Secretary of State. I yield to no Republican, no matter from what State he hails, in admiration and respect for John Sherman, for Governor McKinley, for Thomas B. Reed, for Iowa's great son, for the favorites of Illinois, Wisconsin and Michigan, but when I am told that the credit for the brilliant diplomacy of this administration belongs exclusively to the Secretary of State, for the administration of its finances to the Secretary of the Treasury, for the construction of its ships to the Secretary of the Navy, for the introduction of American pork in Europe to the Secretary of Agriculture, for the settlement, so far as it is settled, of the currency question to John Sherman, for the formation of the tariff laws to Governor McKinley, for the removal of the restrictions placed by foreign nations upon the introduction of American pork to our ministers at Paris and Berlin, I am tempted to seriously inquire who, during the last four years, has been President of the United States any how?

"Cæsar, when he wrote those Commentaries which were the history of the conquests of Europe under his leadership, modestly took the position of Æneas, when he said: 'They are the narrative of events, the whole of which I saw, and the part of which I was.' General Thomas, as the rock of Chickamauga, occupies a place in our history with Léonidas among the Greeks, except he succeeded where Leonidas failed. The fight of Joe Hooker above the clouds was the poetry of the battle. The resistless rush of Sheridan and his steed down the valley of the Shenandoah is the epic of our Civil War. The march of Sherman from Atlanta to the Sea is the supreme triumph of gallantry and strategy. It detracts nothing from the splendor or the merits of the deeds of his lieutenants to say that, having selected them with marvelous sagacity and discretion, Grant still remained the Supreme Commander of the National Army."

While the States were being called for nominations, the friends of the candidates indulged in several splendid demonstrations. At one time, the Marquette Club, of Chicago, marched down the aisle of the Convention hall, bearing aloft the Blaine banner, and placed it on the platform beside the Harrison banner. The Harrison men immediately began a counter demonstration. They seized a portrait of the President, which had occupied a place on the stage, carried it through the hall amid great cheering, and finally held it high above the heads of the Indiana delegation. But the subsequent events showed these demonstrations to be the expiring

glories of sunset. The audience turned toward the east side of the Convention hall, and saw a new sun rising above the horizon. From the extreme right of the hall, a man appeared, bearing aloft a life-sized picture of Governor McKinley. This started the applause anew, and for several minutes the Convention was a pandemonium. Chairman McKinley shook the gavel at the man bearing his picture, evidently deprecating any attempt to stampede the Convention to him.

At last order was restored, and the nominating concluded and the roll-call commenced. When Ohio was reached, the Chairman of the delegation announced forty-four votes for McKinley and two votes for Harrison. Governor McKinley, although occupying the Chair, immediately challenged the vote of the State. Governor Foraker denied the Chairman's right to challenge the vote of Ohio, upon the ground that McKinley was no longer a member of the delegation, having surrendered his place to his alternate, on assuming the Chair of the Convention. The Chair promptly overruled the point of order, and directed the roll of the Ohio delegation be called. Upon the roll-call, Col. Nevin, the alternate-at-large for McKinley, announced that he voted for Harrison at the express direction of Governor McKinley. The vote of Ohio was then cast as follows: forty-five for McKinley, and one for Harrison.

President Harrison was nominated on the first ballot, the vote standing 535 $\frac{1}{2}$ for Harrison, 182 $\frac{1}{2}$ for Blaine, 182 for McKinley, four for Reed and one for Robert T. Lincoln. The work of the Convention was completed by the nomination of Whitelaw Reid, of New York, for Vice-President.

When General Harrison was nominated the first time, Senator Sherman looked upon it a little coldly, as a thing hardly fit to be done. At that time, he did not regard Harrison as deserving of a nomination to so great an office, and especially over some of his competitors. But it is well known that as President Harrison's great talents unfolded and developed to meet every emergency and exigency of his duties, Mr. Sherman's admiration increased, and that finally, he came to regard him as one of the ablest and sincerest of the Presidents.

But notwithstanding this, he doubted the wisdom of renominating Harrison, and he was strongly of the belief that someone like McKinley would be better. Whatever doubts Mr. Sherman entertained, were in no measure inspired by feeling against the President, nor by any question as to his merit and deserts. He himself had paid the penalty of a lack of *bonhomie*, and he was fearful that Harrison had fallen under the same condemnation, and had, in addition, offended the leading Republican politicians of New York. However, he promptly expressed his satisfaction when the nomination was made, and pledged his efforts to the election of the ticket. In an interview he said:—

“The nomination is one I expected to be made in the natural order of things. . . . I think the Republicans in every State will cheerfully acquiesce in the result, and hope and expect that we can elect the ticket.”

Soon after the nomination, a ratification meeting was held by the Republicans at Washington, and Mr. Sherman attended and addressed the meeting. He expressed his satisfaction with the nomination of Harrison, although he said he would have preferred McKinley on account of his availability, and promised to aid in whatever way he could in the campaign. He said he was getting a little old, and that the heaviest of the work would fall to the younger men, but he said:—

“Let me wander around like the old farmer, and watch the young men toil, but if I can mend an old spoke or repair a broken wheel, call upon John Sherman—he will do his best.”

The Senator did wander around considerable during the campaign, but he did much more than mend old spokes and repair broken wheels. He was as active and as important a figure in the canvass as he had ever been.

He made his first speech on the thirtieth of September, at North Fairfield, Ohio. He spoke in the open air, and covered the whole ground of discussion as carefully and as ably as he had ever done in his earlier years. The place seemed to re-

new his youth. Thirty-eight years before, as a candidate of the Anti-Nebraska party for Congress, upon this same ground, he had discussed the question of slavery extension to another generation. A few days later, he spoke to a large audience, mainly of business men, in the Academy of Music, in the city of Philadelphia. He opened by saying that he supposed that they were not much troubled with third parties in Philadelphia—that the temperance question each gentleman settled for himself, and that the only Farmers' Alliance that he knew there, was the Farmers' Club, the members of which fared sumptuously every day. He then stated the issue in the following clear and comprehensive language:—

“The questions involved, in which you are deeply interested, are whether duties on imported goods should be levied solely with a view for revenue to support the Government, or with a view, not only to raise revenue, but to foster, encourage, and protect American industries; whether you are in favor of the use of both gold and silver coins as money, always maintained at a parity with each other at a fixed ratio; or if the free coinage of silver, the cheaper money, the direct effect, of which is to demonetize gold and reduce the standard of value of your labor, productions and property, fully one-third; whether you are in favor of the revival and substitution of State bank paper money, in the place of National money, now in use in the form of United States notes, Treasury notes and certificates, and the notes of National banks.”

With this introduction he made a splendid speech, sustaining the Republican side of the issues. He closed with a tribute to President Harrison, and a request for all to support the ticket. From there he went to New York, and spoke in Cooper Union. His New York speech received high compliments from the Republican papers of the city.

These two speeches, while they dealt with substantially the same materials, were yet differently phrased, and together made as clear and convincing statement of the claims of the Republican party to support, as was made during the campaign. Senator Sherman then returned to Ohio, and addressed a large audience at Turner Hall, in Cincinnati. From there he went to Chicago, and spoke to a large audience, mostly

of business men, in Central Music Hall. On the twenty-fifth of October, he spoke at Milwaukee, there confining himself mostly to the money question. He then returned to Ohio, and delivered speeches to the end of the campaign.

Before the campaign opened, on the sixth of July, there began at Homestead, Pa., the most disastrous labor strike that had occurred in the country up to that time. While the political effect of this disorder did not appear at once, yet it became clear afterwards that it alone would have destroyed all chances of Republican success. The proprietors of the Carnegie Mills, at Homestead, had a disagreement with the men in their employ, and a strike was ordered, and the men went out. The proprietors engaged a large number of Pinkerton men to guard their property, while the strike continued. The strikers, on being informed of this, offered to guard and protect the property, but their offer was declined, and the Pinkerton men ordered forward. They came by boat on the Ohio, but the strikers prevented their landing, and after two days' fighting, and a killing of a number, the Pinkerton men surrendered. They were compelled to leave their guns on board, and were then marched ashore, as prisoners of the strikers. After they were captured, they were mobbed by the strikers, or their friends, and abused cruelly. The town was put under martial law, and the power of the Government invoked, before peace was restored.

A resolution of inquiry, and for investigation, was introduced in the Senate and discussed. The Democratic Senators sought to give the debate a political tinge, and by innuendo to place the blame for the deplorable trouble, at Homestead, upon Republican legislation. The real purpose of this discussion was to inflame the minds of the laboring men against the law, which was being executed by a Republican Executive. The labor organizations all over the country were stirred to a high pitch of excitement, over the employment of armed bands of aliens, mercenaries, and their importation to scenes of labor troubles. The Senate resolution provided for the appointment of a select Committee of investigation.

Senator Sherman suggested that, inasmuch as the House had already set on foot an investigation, it would not be proper etiquette for the Senate to interfere, and that if the Senate did investigate the matter, it should be through one of the standing committees. He condemned, in strong terms, the employment of armed bodies of aliens to enforce the purposes of companies, or employers of labor. On this point he said:—

“While I am on my feet, I am bound to say that the principal question raised as to whether any corporation or any individual, however wealthy he may be, may employ men who are supposed to be in the nature of policemen, or are at times expected to carry arms, in the nature of an armed force, is a very doubtful and a very dangerous power, if it exists. I doubt very much whether any corporation or any man has a right to hire janizaries or persons, I do not care how good their object may be, with a view to fight, to carry arms in defense of any private quarrel, or public controversy. In the State of Ohio, we do not allow a constable to serve unless he is elected by the township in which he lives. The sheriff is elected by the community in which he lives, and all the officers, who are expected to enforce the laws, are elected by the locality. It seems to be a necessary safeguard to Republican institutions that we will not trust anybody to enforce the laws, except a person kindred to and a part of the community in which he lives. Mr. President, this would be a very dangerous power. We have all read in our histories of janizaries. We have read of the Robber Knights, along the river Rhine, who hired people whom they sent forth to levy tribute. We have also read of the English barons, who have done the same thing. If the employment of non-residents, by a corporation or by an individual, to either enforce the laws or protect men in the employment of their rights, is once entered upon, it may open up dangers we do not now contemplate.”

Two illegal and dangerous forces came in conflict at Homestead. Senator Sherman was right, when he said it was a dangerous proceeding to place the enforcement of law in the hands of private parties. It was equally as dangerous to place the enforcement of the rights of labor in the hands of armed men, who sought their ends and wrought their purposes outside of the machinery of the law. The strike continued until after the election. Some of the labor leaders were arrested

on the charge of murder. The Democrats had the advantage of being out of power, and therefore not chargeable with any responsibility for acts, either of omission or commission. Many thousands of votes were lost to the Republican ticket, by reason of this strike, so many that Cleveland carried, in addition to the solid South, the States of California, Connecticut, Illinois, Indiana, New Jersey, New York, West Virginia and Wisconsin, and one electoral vote in Ohio. He received a plurality in the popular vote of 380,961, and a plurality in the electoral vote of 132. The Democrats carried the House of Representatives by an overwhelming majority, and to the surprise of everybody, the result would make the Senate Democratic also, at the beginning of the Fifty-third Congress. A few weeks' reflection satisfied a great many who had voted for Cleveland, under the belief that a Senate would stand in the way of any radical or injurious legislation, that they had rather overdone the business of reform.

The second session of the Fifty-second Congress convened on the fifth of December. Senator Sherman, on July 14th, of the previous session, had introduced a bill to repeal the purchase clause of the Sherman Silver law. He had not pressed it for consideration, on account of the influence such action might have on the election. The bill remained with the Committee on Finance. For some time after the beginning of the second session, no action was taken with respect to the bill, and the newspapers began to inquire why the delay, and some of them criticised Senator Sherman for not urging the report and passage of his bill. It was quite evident that a majority of the Senate was, at this time, against a repeal of the Silver law, and no good would come of an attempt to pass it. But finally, Senator Sherman reported the bill from the Committee, but he announced that he would not precipitate the Senate in a silver debate, by calling up the bill, until he was satisfied that a majority would support it. He said he was not satisfied at this time, that a majority of the Senate was favorable to the passage of the bill. Subsequently, Senator Hill, of New York, moved to proceed to the con-

sideration of the bill, but his motion was voted down by a vote of forty-seven nays to twenty-three yeas. Senator Sherman, in explaining his attitude in the matter, said among other things:—

“If the Democratic party will furnish a contingent of ten Senators in support of the repeal of the Silver Act of 1890, it will pass the Senate within ten days.”

From this it will be seen that Mr. Sherman was entitled to the credit of having taken the first step in the Senate, toward the repeal of the Silver law, and that if the Democratic House and an adverse majority in the Senate had concurred with him, there would have been no necessity for Cleveland to have called an extraordinary session of Congress to repeal the law. In Mr. Sherman's attitude of willingness to repeal the purchase provision of the law of 1890, there was no inconsistency. He had been willing almost from the day the law passed, to suspend the purchase of silver bullion, and the issue of Treasury notes. He regarded the purchase provision as a doubtful experiment, and when it was quickly demonstrated that it was impotent to stimulate or sustain the value of silver, he waited the first opportunity to get rid of it.

Before the close of this session, it became evident that, by anticipation, the program outlined in the Democratic platform was hurting business. The situation lacked two elements necessary to a continuation of the prosperous conditions, viz.: confidence and certainty. If the new policy, soon to be inaugurated, could have been defined with exactitude, business might have shaped itself to meet it, and to some extent, have avoided the depressing influence of a change, but this was not and could not have been done; the whole matter rested with the new Congress yet unorganized. The gold reserve was menaced by the issue of Treasury notes, and the Secretary of the Treasury requested some additional legislation to enable him to maintain it. Senator Carlisle, who had been designated as the Secretary of the Treasury of the

incoming administration, joined in the request. The Resumption law of 1875, authorized the Secretary of the Treasury to sell four, four and one-half and five per cent. long-term bonds to provide and to maintain the gold reserve, and he had no other power or authority to do it, except that he might use the surplus revenues. But the sale of a four per cent. bond when a three per cent. bond could be readily sold, was an unwise proceeding, as it was to sell a thirty-year bond to meet a temporary emergency. There was, however, no authority for a three per cent. or a short-term bond. Senator Sherman asked the Finance Committee of the Senate to recommend an amendment to the law, by which the Secretary would have authority to issue a three per cent. bond, redeemable after five years, if it became necessary to do so, to replenish the reserve. The Committee agreed with Mr. Sherman, and when the Sundry Civil Appropriation Bill was being considered in the Senate, he offered the proposition, referred to, as an amendment. This occasioned a long debate which involved the discussion of many irrelevant financial and economic questions, but finally the amendment was adopted. The House refused to concur in the amendment, and it, with other disagreements, went to a Committee of Conference. The Conference Committee could not agree to the Sherman amendment. The House conferees would not recommend concurrence in the amendment, and the Senate conferees would not recommend that the Senate recede without further advice from that body. Senator Sherman made a long speech upon the Conference report, to the point that the Senate conferees insist upon the amendment. But during the course of his speech, he took occasion to explain how the so-called Sherman Silver law was agreed to in conference, and, at its conclusion, gave notice that at the earliest favorable opportunity, he would seek to stop the purchase of silver bullion. On this point he said:—

“I believe myself that it would be a wise policy to arrest that purchase. I would not do it now, pending the monetary conference, but next winter, I believe public sentiment will be so crystallized and

strengthened, that the demand that we shall no longer purchase silver bullion, merely to maintain its price in the markets of the world, will come with such strength and power, that Senators and Members will not dare to resist it."

The debate in the Senate continued so long that Senator Allison feared that the Appropriation Bill would not get through, and finally, he gave notice that he would move, after the Conference report was agreed to, that the Senate recede from the bond amendment. The motion was made and agreed to. Senator Sherman went to the very verge in insisting upon his amendment. It is one of the unwritten rules of parliamentary procedure, that the House proposing an amendment to a general bill, must recede rather than defeat the bill by disagreement.

The defeat of this amendment was a costly mistake, and necessitated the sale, by the Cleveland administration, of many millions of high-interest and long-term bonds.



CHAPTER LXIII.

CLEVELAND'S SECOND INAUGURATION.—HIS ADDRESS.—BUSINESS CONDITIONS BEFORE AND AFTER INAUGURATION.—EXTRA SESSION OF CONGRESS CALLED AUG. 7th, 1893.—BILL TO REPEAL SHERMAN SILVER PURCHASE LAW.—PASSED HOUSE.—DELAYED IN SENATE.—SHERMAN'S SPEECH.—HIS LAST SET SPEECH IN SENATE ON SILVER QUESTION.—REGULAR SESSION FIFTY-THIRD CONGRESS.—THE WILSON TARIFF BILL.—SENATE AMENDMENTS.—SHERMAN'S AMENDMENTS FOR DUTY ON WOOL.—HIS SPEECH.—SENATOR HILL'S DENUNCIATION.—CLEVELAND'S ATTITUDE.—THE GOLD RESERVE.—HAWAII.

ROVER CLEVELAND was inaugurated as President, the second time, on the fourth of March, 1893. In his inaugural address, he said there was prevalent a popular disposition "to expect from the operation of the Government especial and individual advantages." This he characterized as paternalism in Government, and he said that "protection for protection's sake" was the most ill-favored and dangerous child of its unwholesome progeny. He declared that the "existence of immense aggregations of kindred enterprises and combinations of business interests, formed for the purpose of limiting production and fixing prices, is inconsistent with the fair field, which ought to be open to every independent activity." He promised that, so far as these could be reached and restrained by the Federal power, the General Government would extend relief. The address contained two central ideas—the first was tariff reform, and the second, restraint of trusts. The necessity for an early suspension of the purchase of silver bullion does not seem to have occurred to Mr. Cleveland at this time, at least, he made no reference to it. Perhaps he did not want, at this time, to strike a discord-

ant note in the otherwise harmonious and rejoicing hallelujah of his party.

That something was wrong, was very evident. President Harrison's last annual message, submitted to Congress, December 6th, 1892, contained the following congratulatory statement:—

"In submitting my annual message to Congress, I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial conditions of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general diffusion of the comforts of life were never enjoyed before by our people."

He presented figures in great detail, to prove the statement. Further along in the message, he said:—

"There never has been a time in our history when work was so abundant, or when wages were so high, whether measured by the currency in which they are paid, or by their power to supply the necessities and comforts of life."

In nine months from this time, President Cleveland sent his first message to the Congress, which he had convened in extraordinary session. In the meantime, the flowers of prosperity had faded; confidence in the stability of business affairs had gone; the fertile fields of commercial and industrial activity and thrift seemed suddenly to have become sterile. President Cleveland, in this message, dated August 8th, 1893, said:—

"The existence of an alarming and extraordinary business situation involving the welfare and prosperity of all our people, has constrained me to call together in extra session, the people's representatives in Congress, to the end that through a wise and patriotic exercise of the legislative duty, with which they solely are charged, present evils may be mitigated, and dangers threatening the future may be averted. . . . With plenteous crops, with abundant promise of remunerative production and manufacture, with unusual invitation to safe invest-

ment, and with satisfactory assurance to business enterprise, suddenly financial distrust and fear have sprung up on every side. Numerous moneyed institutions have suspended, because abundant assets were not immediately available to meet the demand of frightened depositors. . . . Values supposed to be fixed are fast becoming conjectural, and loss and failure have invaded every branch of business."

Men looked upon the two pictures and inquired:—

"Have we left those fair fields
To batten on this Moor."

There was no reason and but little disposition to question the business conditions—from some cause, a sudden and alarming depression had set in—a depression which manifested itself not alone in the rapid decrease in production and volume of trade, but in the soundness and security of financial institutions. Bank failures kept pace with commercial and industrial bankruptcies and these latter were unparalleled in number. The President diagnosed the disorder and came to the conclusion that the purchase of silver bullion and the issuing of Treasury notes in payment therefore, under the law of 1890, was the cause. The President had found a disease beyond question, but not the one to which, in whole or in any considerable part, could be attributed the trouble. The evidence of trouble appeared in the falling off in revenue. This was occasioned by the holding up of importations to get the advantage of free entry, or reduced duties, under the Tariff law, certain to be enacted upon the coming of Congress. As soon as the revenue fell below the expenditures of the Government, the reserve was encroached upon or endangered. At this time, there was no law segregating the gold redemption fund, from the general fund in the Treasury, so that whenever the disbursements reduced the fund below a hundred millions, the reserve was impaired, whether it was reduced by payments in the ordinary way, or by the redemption of United States and Treasury notes. It is quite true that the facilities for drawing gold from the

Treasury were greatly increased by the Treasury notes, and the gold reserve rendered less secure as these notes increased in amount, but this was not the sole, nor a very important cause of the disorder.

The President, in his message to the Houses of Congress, after reciting the alarming conditions as heretofore quoted, said:—

“I believe these things are principally chargeable to Congressional legislation touching the purchase and coinage of silver, by the General Government.”

The House organized by the reëlection of Charles F. Crisp, as Speaker. On August 11th, Hon. W. L. Wilson, of West Virginia, introduced a bill in the House repealing the purchase clause of the Silver law of July 14, 1890, but providing that the repeal should not affect the legal-tender quality of the silver dollars, and further providing that “the faith and credit of the United States are hereby pledged to maintain the parity of the standard gold and silver coins of the United States, at the present legal ratio, or such other ratio as may be established by law.” Mr. Bland, of Missouri, immediately proposed a resolution, which was, in effect, an order of procedure, and which had been agreed upon by the Democratic members. The resolution provided that the bill should be considered fourteen days, eleven of which should be given to general debate, and three days to amendments and debate under the five minute rule. Then the following amendments should be in order, and the votes thereon taken in the following order:—

First, on an amendment providing for the free coinage of silver at the established ratio;

Second, if this fail, then votes should be taken, in the order here named, on the ratio of 17 to 1, 18 to 1, 19 to 1 and 20 to 1, and if all these fail, then an amendment should be in order to revive the Bland-Allison Act of 1878, and

Third, if all these fail, then a vote was to be taken on the bill.

Upon this resolution, the previous question was demanded and carried by a vote 219 to 99. The resolution was then agreed to, without division. Mr. Bland then proposed a substitute providing for the free coinage of silver, and the debate under the order proceeded. Upon the question of reviving the Bland-Allison law, more Democrats voted in the affirmative than in the negative. The bill finally passed the House, by a vote of 239 to 106. The Committee on Finance of the Senate recommended a substitute. The repealing clause, of the Senate substitute, was in the same words as the House bill, but the following jumble of political declarations was added:—

“And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will secure the maintenance of the parity in value of the coins of the two metals.”

It might as well have been declared that by international agreement or other safeguards, the Government would make thirty inches of calico equal in length to a yard of muslin, and that both should be a standard measure of the yard. The following wise provision was added that the Government would maintain, “the equal power of every dollar at all times, in the markets, and in the payments of debts.”

This substitute was reported to the Senate on the twenty-ninth of August, and was debated until the thirtieth of October, when a vote was reached.

It was the purpose of the opponents of the measure, to kill it by delay. The leaders of this movement were the Republican Senators, representing silver States, such as Teller, Jones, of Nevada, and Stewart. Although Senator Teller had repeatedly denounced the Sherman Silver law as a fraud and a sham, and declared that it was of no benefit to the silver cause, yet he voted against its repeal, and spent two weeks in trying to defeat its repeal by indirection, and finally came

to the conclusion that it had greatly benefited the silver producing States, and the country generally. While Senator Sherman was favorable to the Silver Purchase law as an experiment, Senator Teller was denouncing the law as a measure, not based upon any sound economic principle, but when Senator Sherman was satisfied that the law had not only failed to do good, but was doing harm, and for that reason, desired its repeal, Senator Teller became its defender. In the latter's first speech against repeal, delivered on the twenty-ninth of August, he said:—

“The Honorable Senator from Ohio need not be ashamed of that Act. I assert here that it has been most beneficent and valuable to the whole country.”

On the thirtieth of August, (1893), Senator Sherman made his last set speech in the Senate, on the silver question. He participated in the debate at times, until the vote was taken on the bill, but this speech was his last, and perhaps greatest, argument in the Senate against the brood of heresies and misconceptions, which the silver question had brought on. He began by saying that merely to stop the purchase of silver bullion, a few months ahead of the regular session, would hardly justify the calling of an extraordinary session at this inconvenient season of the year, but he said:—

“The call is justified by the existing financial stringency, growing out of the fear that the United States will open its mint to the free coinage of silver. This is the real issue. The purchase of silver is a mere incident. The gravity of the issue cannot be measured by words. In every way in which we turn we encounter difficulties.”

He gave the circumstances under which the Sherman law, miscalled he declared, was enacted, and then said:—

“Sir, ‘give the devil his due.’ The law of 1890 may have many faults, but I stand by it yet, and I will defend it, not as a permanent public policy, not as a measure that I take any pride in, because I yielded to the necessities of granting relief; but I do say that the beneficial effects that flowed from the passage of that law were infinitely greater even in the percentage of money than the loss we have suffered in the

fall in the price of silver. Without it, in 1891 and 1892, we would have met difficulties that would have staggered us much more than the passing breeze of the hour. . . .

"Now, Mr. President, I was not blind in respect of the operations of the law of 1890. Long before our Democratic friends ever thought of providing a measure of relief, I introduced in the Senate a bill, which I hold in my hand, to suspend the operation of the law of 1890, a bill in almost the same words as the bill now brought forward by the Honorable Senator from Indiana."

He gave, in great detail, citing from records and documents, the history of the Silver Act of 1873. He refuted the story which some irresponsible person had started, and which had been much used in political argument, that one Ernest Seyd, an English writer upon monetary questions, had brought one hundred thousand pounds to America, and with it bribed Congress to drop the silver dollar from the coinage. He showed by Seyd's writings, that he was a bimetallist, and did not favor the demonetization of the silver dollar, and that the law had passed both Houses while Seyd was in England. He announced his purpose to support the bill, and advised that it be passed quickly, and "We should then turn our attention to measures that are demanded immediately to meet the difficulties of the hour."

The debate continued without prospect of ending. The tactics of the opponents of repeal were clearly dilatory. On the seventeenth of October, Senator Sherman made an appeal to Senators to permit a vote to be taken. He said in part:—

"Whenever the minority presses its means of obstruction unduly, it then creates what is in the nature of a revolution, it seeks to break down the rules of the Senate, and to use them as a means of denying to the majority of the Senate, its power to make laws for the people of the United States. Mr. President, I know that the recent obstructions made during the heated contest, lasting now for more than two months, have gone far beyond all which has occurred while I have been a member of the body."

He called attention to the fact that, while they were delaying to pass the bill under consideration or any other meas-

ure of relief, the gold reserve was being impaired and the public debt increasing by the failure of the revenues to meet expenditures. He said the party in the majority must agree or surrender its power to the other side. He made an eloquent and impassioned appeal to check the "viper of obstruction," and to give prompt relief to the country. Of this effort, the "Washington Post" said:—

"Mr. Sherman ceased, but the thrall of his words remained long after his venerable form had disappeared. No Democrat answered him. Mr. Voorhees, who had sat within arm's reach of him on the Republican side, crossed the Chamber to his own seat, and sank down as a man laden with deep care."

This speech is printed in full, not that it contains anything new either as to the subject-matter under debate, nor as to form, but to show his disposition to expedite the business of the Senate, even at the expense of some of its ancient practices and traditions. He was the oldest Senator, and naturally wedded by age and service to the rules, practices and traditions of the Senate, yet when he saw that under the practice of unlimited debate a minority of the body was standing as an insuperable obstacle in the path of business he was willing to adopt, and proposed the adoption, at a proper time, of a rule closing debate.

MR. SHERMAN. "Mr. President, I do not intend to debate that question, because I think it has been sufficiently debated. I am of the opinion expressed by the Senator from Massachusetts [Mr. Hoar], that whatever may be the merits of the proposition—and I concur and sympathize entirely with the proposition made by the Senator from Oregon [Mr. Dolph]—yet I think upon the face of the rule, which we must construe according to its fair meaning, I should feel bound to vote against the proposition to amend the Journal, because I think the Secretary has executed his duty honestly and according to the rule, and that it would be an

unjust reproach upon him to say that he had not strictly conformed to the rules of the Senate. Therefore, I shall vote against the proposition of the Senator from Oregon, although I sympathize heartily with the objects and aims he has in view.

“Wishing to make a few remarks in regard to the present situation of the public business, and especially the great question which is now pending before us, I desire to waive the question immediately before us, and discuss that which has been discussed so often of late, that is, the nature and character of our rules.

“The rules of the Senate are made to expedite the public business in an orderly and proper manner. There is no doubt of the right and the necessity of every legislative body to have the exclusive power over its rules.

“What is the object of the rules of the Senate and of all legislative bodies? It is to enable them to legislate. That is the object. We are not here for any other purpose except to legislate, to make laws, in connection with the coördinate departments of the Government, in coöperation with the House of Representatives, and subject to the veto of the President. All the rules ought to aim for the accomplishment of that purpose and no other.

“At the same time, while that is the primary object of all rules, yet it is equally important to give the minority full and free opportunities of debate. The right to debate a question broadly has been recognized by the Senate of the United States, from the beginning of our Government; but when the rules of this body, intended to expedite legislation, are used as an obstruction by the minority in order to defeat the will of the majority, those rules should as soon as possible, be corrected, changed, and altered.

“Whenever the minority presses its means of obstruction unduly, it then creates what is in the nature of a revolution, it seeks to break down the rules of the Senate, and to use them as a means of denying to the majority of the Senate its power to make laws for the people of the United States.

"Mr. President, I know that the recent obstructions made during this heated contest, lasting now for more than two months, have gone far beyond all which has occurred while I have been a member of this body. I have recently seen measures resorted to here which were never heretofore appealed to during my term of service, nor do I believe they have ever been practiced since this Government was formed.

"The Senate of the United States was originally a dignified body of twenty-six members, more like a council of revision than a legislative body. In all its history it threw down the usual barriers against debate and went to the extreme verge of liberality. But, Mr. President, whenever the time comes when our rules of order do not promote legislation, then, as a matter of course, the Senate must adopt rules which will prevent obstruction. In the olden time no such thing happened as has occurred during the present session of Congress.

"I shall not refer to that further, for each Senator can see for himself that this new idea of stopping a Senator in the midst of his argument to suggest that a quorum is not present is a marked discourtesy that in former times would have been resented. It has been done merely for delay. The purpose in a large majority of the cases when a Senator was stopped in the midst of his argument to have the roll called was to catch Senators at their lunch or within hearing, merely to obstruct and delay a vote. This is a violation of the duty of a Senator, and ought to subject him, by our rules, to reproach and punishment.

"When was that ever done in the olden times? When was a Senator in those days ever stopped in the midst of his argument every five or ten minutes in order to call a quorum here? That kind of obstruction has never been resorted to. Sometimes, as I know, it has occurred that Senators have refused to vote when they were present. In such cases, in my judgment, they have violated the rules of good order. I say for myself, and I can refer to the records of the Senate to sustain me, that never, when I have been present

here, have I refused to cast my vote, even although the majority might have been against me. That was not the idea in those days, but the practice has grown up within the last fifteen or twenty years. The first violation of this rule occurred in the case referred to here a few moments ago, where my former colleague, Mr. Thurman, when President of the Senate, stepped into the breach and counted a quorum. Up to that time I believe a case had never occurred when Senators sat silent in their seats. That was probably the first time. I was not then a member of the Senate.

“Mr. President, during the pendency of all the war measures and all the reconstruction measures, we had many long and weary night sessions at a time when I was much better able than now to bear that kind of fatigue. I have many a time sat here until the gray of the morning hour after hour. But in every case, until within the last ten or twelve years, there was finally an agreement between the minority and the majority, the minority yielded, and a time fixed when a vote should be had. If a single case of the kind occurred where the minority did not yield after fair debate before the pendency of what is called the force bill, I should like to know when it was. At that time the largest liberty of debate was given, and when debate was apparently exhausted, then it was that an agreement occurred at once between the opposing sides, an hour or a day was fixed when the vote should be taken, and that was the end of obstruction.

“I do not know of a single measure in those times, when the most momentous questions were pending before the Senate of the United States which were ever presented in our history, when the time did not speedily come when the minority, having made its protest and made its arguments, yielded to the majority and surrendered to them the unquestioned power of the majority to pass laws, whether in the opinion of the minority they were wise or unwise.

“This system of obstruction, therefore, is a matter of modern origin in the Senate of the United States. In the House of Representatives, of which I had the honor many

years ago to be a member, we did organize measures of obstruction; but the previous question existed there, and whenever the majority chose to do so they could put it in force and establish for themselves the time of voting. Such an extremity was never resorted to in the Senate. If Senators will look over the pages of our Congressional history, to be found in the "Globe" and the "Record," they will find in every single case that the majority in the end have had the power to pass laws when that majority was well established. If there be any case to the contrary, I shall be very glad indeed to have it pointed out, for I recollect no such case.

"Mr. President, I think, therefore—though probably it may not be done at this session—that the time has arrived when the Senate of the United States must adopt rules and regulations to prevent obstruction of the public business.

"The Senate is a very different body now from what it was in the olden times; not in point of ability, for I believe the Senate of the United States to-day has more varied talent and has as much ability to discharge all the duties of this great law-making body as it ever has had. I believe in the general intelligence of its members, and in their ability. It is equal to any Senate which ever sat here. We are improving in our day and generation, possessing many advantages which our ancestors did not possess.

"So the difficulty is not on account of the weakness or want of intelligence of the Senate, but on account of its numbers. A body of eighty-eight Senators is very different from a body of twenty-five or fifty Senators. During the war and the reconstruction period twenty-five was a quorum of this body. It was only necessary, therefore, to consult twenty-five Senators in order to establish a rule or to secure the order of business. Now that the body has increased to eighty-eight Senators, it is much more difficult.

"I believe I can say that there is no legislative body in the world which has not some power to close debate, some clôtüre rule, some means by which the majority can pass

laws. If there be a legislative body which has not that power, I should like to know it.

"We must follow, therefore, the examples of other political bodies; we must follow the example recently set by the House of Commons of England, and also set by the House of Representatives of the United States. Such rules exist in the legislative bodies of France and in all countries where they have organized legislative bodies. There are many more such governments now than forty or fifty years ago. The great body of European governments was then monarchical. Now many of them are republican, and all of them possess the power of legislation. Most of them have two legislative houses, similar to our own. In this respect our example has been followed by almost every intelligent monarchy in Europe. No longer does a czar or a king pronounce his law, but in every European government he is restrained by the legislative body. In every legislative body of Europe of which I have knowledge, there is a power to suppress debate, or rather not to suppress it so much as to limit it within the bounds of reason, so as to provide that the majority shall exercise the power to pass laws. The Senate should have some such provision.

"Many wise and reasonable provisions have been suggested here. In my own judgment, the better way would be at the next session of Congress—not now, in the midst of this heated debate—to have the Committee on Rules strengthened and enlarged, and have them take up and re-examine all these various rules and provide for carefully limiting debate, giving to the minority the full power and proper opportunity to express their opinions, and prescribe some reasonable method by which the majority, after that limit has been reached, may prescribe the time when the final vote shall be taken.

"Mr. President, I wish now very briefly to call your attention to the important legislation which must be acted upon here. We have been here over two months, and not a single thing has been done, not a single measure of the slightest

importance has been passed. The House of Representatives has performed its duty, while this body which has been here staggering under this long, long debate, has as yet been unable to have a single vote on any question presented upon which any difference of opinion exists.

"Sir, if this continues, the Senate of the United States will be a marked body; it will no longer command the respect of an intelligent and active people like ours. Our people are people of action in every department of industry in this country, and the Senate of the United States ought not to be the great log which weighs down and obstructs legislation. We must, therefore, resort to some means by which the power of the majority may be exercised. Whether I shall be in the minority or the majority, I shall be willing to obey the will of the majority.

"Now, for the first time during my service as a member of the Senate of the United States, I recognize on the other side of this Chamber the power of the Senate. They have the majority; the responsibility rests upon them; the duty rests upon them. They say they can not agree. They must agree, or else surrender their political power. If the Senate of the United States as now organized can not make laws without this prolonged debate, if the majority say they are unable to meet together and formulate some proposition, the people of the United States will take them at their word. There is no doubt about that.

"I have sat here for more than a month without opening my mouth, desiring to hear from the other side who have been honored by a majority of the people with the control of the Senate of the United States. The President has expressed his opinion. We, on this side, have not obstructed the engrafting into law what is desired by the President. We do not believe in him; we do not believe in his policy; we are under no obligations to him, and yet we furnish nearly two-thirds of the votes to enact the law he desires to have enacted, while the party he represents stands unable to formulate a policy and say what they desire. If

they do not agree with the President, let them say so, and formulate their opinions into an act.

“There are three or four important matters of public interest, which demand solution, and this body stands in the way. One is, whether or not we should continue the purchase of silver bullion.

“Upon that question honest men may differ. I believed in that policy; I believed in giving to it the largest and most beneficial experiment. We have tried it, and according to our humble judgments, without wishing to say anything harsh about silver or about the questions now involved, we think on the whole it is not wise to further continue the purchase of silver bullion.

“We have now 570,000,000 silver dollars coined, or we have the bullion to coin it. We have \$77,000,000 of silver coin in wide circulation, called subsidiary coin, and we have bullion enough now to supply all that can be coined in the next two or three years. Therefore, when we acquiesce in the views of the President that the purchase of silver bullion tends to create a disturbance in the markets of the world, tends to create a want of confidence in our ability to maintain the parity of gold and silver, we say: ‘Very well; we have tried the experiment of purchasing silver bullion, and we believe it has failed; silver has declined, notwithstanding our enormous purchases, and we shall therefore vote to suspend the purchase of silver bullion, not to demonetize silver coin.

“Senators all around me, on both sides of this question, have assumed that we are about to demonetize silver when we propose to suspend the purchase of silver bullion. We have more silver now in the United States of America than we ever had before in our whole previous history, more than we had forty years ago, when silver and gold were the only money of any kind issued by the United States. No one proposes to disturb that silver. There it is, nearly \$600,000,000, either in our Treasury, represented by Treasury notes, or among the people, or in bullion ready to be coined. Does

anybody propose to disturb that? Oh, no. On the other hand, I shall be glad to join with our friends on the other side of the Chamber to largely increase the subsidiary coin, as it is called. I believe that is the coin which the people of this country desire more than the large dollar, which is in inconvenient form. We have now in circulation more fractional silver coins than silver dollars.

"Any other measure which will tend to promote the use of silver, which will enable us to maintain it at a parity with gold, or any other measure which will give employment to this important industry of our country, we are willing and ready to hear and consider. The President suggests, however, that the first and most important measure, before further action, is to clear away the present silver purchasing clause of the act of 1890. We have thought so too, but if the other side do not think so it can not be done, for their vote is potent. They carry the matter in their own hands. Let them agree upon something.

"In times past, when they were in the minority and we were in the majority, we never shrank from responsibility. We were Republicans because we believed in Republican principles and Republican men and Republican measures, and whenever a question came into the Senate Chamber to be decided, we never pleaded the baby act and said "we could not agree." We met together in conclave; we measured each other's opinions, some giving way, and finally we came to an agreement. In this way we passed all the great laws which have marked the history of the last thirty years of our country, and it was not done by begging votes of the other side. We knew that, by the usual and almost universal habit of the Democratic party, they would oppose anything we should propose, even the Lord's Commandments or the Lord's Prayer. [Laughter.]

"We did not stand in that attitude. We ask our brother Senators on the other side, for whose ability and standing we have the highest respect, to meet together, to consult together, and if they do not like the President's plan, let them, in God's

name, give us some other plan, and let them settle upon it. They can in that way solve these important questions for the people of our country. Then we on this side will take their plan into consideration, and if we find we can agree with it, we shall. We shall not follow their example, but wherever we can agree with them we shall do so, and if we do not agree with them we shall give them a manly 'no.'

"There are one or two other questions more important than the one I have been discussing, one of which is the necessity of strengthening the gold reserve in our Treasury. We have outstanding \$800,000,000 in notes or certificates and but \$86,000,000 of gold to redeem them. Think of that for a moment. Senators say they will not increase this reserve, they will not issue bonds to buy it; that the people do not like the idea of increasing the public debt. Senators, the public debt is now increasing day by day. The ordinary revenues do not meet the public expenditures according to the appropriations made by Congress. I have seen to-day, and there is now in the Senate Chamber, a letter from the Secretary of the Treasury in which he says distinctly that there will be a deficiency of revenue during this fiscal year at the very lowest of \$50,000,000, at the rate of about \$5,000,000 a month. That is a debt contracted by the people of the United States, and Congress refuses to furnish the money to meet this growing deficiency. Mr. Carlisle has not a purse long enough to pay these bills, and if he does his duty he will at once—to-day, to-morrow, at the earliest hour—stop the expenditure of all money where it is not imperative, where it is not fixed by law. He ought to suspend the erection of public buildings and the work on all public improvements, and everything of that kind.

"The idea of going on and spending at the rate of \$5,000,000 a month more beyond the revenues is utterly destructive. It would be destructive in the case of a private individual, and it is utterly indefensible in a Government like ours. The idea that we are not even willing to give our notes for the payment of this money is a monstrous one.

"Senators say it will be unpopular to increase the public debt; but it is already contracted. The question is whether we will provide for its payment. This should be done. It ought to be met at once by the Congress of the United States.

"Sir, these are public duties that can not be avoided. You must decide this silver question some way or other. If you can not do it and will retire from the Senate Chamber we will settle it on this side, and we will do the best we can with our silver friends who belong to us, who are blood of our blood and bone of our bone. But you have the majority on this floor to-day, and therefore I beg of you, not in reproach, not in anger, because I know the great difficulty and the difference of opinion that exists in the two parties; you have the supreme honor of settling this question now, and you ought to do it. That is all I care to say on that point.

"Mr. President, I have a great deal of faith in political bodies. Why is the Democratic party organized? Why is the Republican party organized? It is not to express the will of any one man, but it is to express the general opinion of the people of the United States. All of you represent the people, and you seek to observe if possible and carry out their ideas. Whenever men come together as the representatives of a people, they must consider that the differences among the people must be reconciled, and they must act independent of their people to some extent."

MR. MORGAN. "Will the Senator answer a question I desire to put to him?"

MR. SHERMAN. "Certainly."

MR. MORGAN. "I should like to know whether he will vote for the unconditional repeal of the entire act called the Sherman Act?"

MR. SHERMAN. "No, and no other man who understands the subject would do it. In my judgment to do that would be to dishonor and leave unprotected the \$150,000,000 Treasury notes outstanding. To do that would be to throw out of the Treasury the great sum of money that was carried

there belonging to the banks for bank redemption. There are many provisions of that bill, bad as some think it to be, that no man in the Senate would vote to repeal if he would read the act carefully and ponder the subject.

"The only question in that law that there was any controversy about, the only section of the law that there was ever the slightest dispute about, is the provision providing for the purchase of silver bullion. Every other feature of the law was agreed to unanimously by both Houses of Congress and by the conferees of both Houses. To repeal the whole law would not only be an absurdity, but I do not believe my honorable friend himself would vote for it if he would study the question in all its details."

MR. MORGAN. "I beg leave to state that I have studied it to my best ability, and I intend to offer that amendment to the pending bill and give you an opportunity to vote on it."

MR. SHERMAN. "I shall vote against it with the greatest pleasure."

MR. MORGAN. "I had no doubt the Senator would."

MR. SHERMAN. "I have no doubt that two-thirds of your side will vote against it."

MR. MORGAN. "It may be; I do not know; but we will try it."

MR. SHERMAN. "That is precisely what I want to do. Why should we not try and vote? Why should we be here seventy odd days without a single vote on any question? Let us try it. If we would try it to-morrow after all the long debate that has been had and dispose of this question as we think best for the people of the United States, while you are assuming your responsibility we would gladden the hearts of millions of laboring men who are now being turned out of employment. We would relieve the business cares of thousands of men whose whole fortunes are embarked in trade. We would relieve the farmer and his product for free transportation to foreign countries, now clogged for the want of money.

"In the present condition of affairs there is no money to

buy cotton and corn and wheat for foreign consumption. Break down the barrier now maintained by the Senate of the United States, check this viper called obstruction to the will of the majority, give the Senate free power and play, and in ten days from this time the skies will brighten, business will resume its ordinary course, and the clouds that lower upon our house will be in the deep bosom of the ocean buried."

On the twenty-eighth of October, Mr. Sherman spoke again. He called attention to the fact that while the Senate was holding the business interests of the country, suspended between fear and uncertainty, by its delay, there was in prospect a deficiency in the revenues of \$50,000,000 for the year, and that the Secretary of the Treasury should have some additional authority to replenish the Treasury, if it became necessary. He said that while there was no question but that the Secretary of the Treasury could sell such bonds, as were authorized by the Resumption Act to maintain the gold reserve, there was a very serious doubt whether he could sell bonds to repair a deficiency of revenue, or use the gold reserve for the ordinary expenses of the Government. He stated that he had drawn an amendment which gave the Secretary of the Treasury authority to sell a three-per-cent. bond, payable after three years, and that he had intended to offer it, but that under the present situation, he did not care to further delay action on the bill by adding another question for debate. The substitute passed the Senate by a vote of forty-three yeas to thirty-two nays. The extra session adjourned on November 3rd.

The first regular session of the Fifty-third Congress assembled on the fourth of December, 1893. The Repeal of the Silver Purchase law had not brought any preceptible relief, instead, the financial disorder had increased in intensity. The President in his message, said:—

"At this time when a depleted public Treasury confronts us, when many of our people are engaged in a hard struggle for the

necessaries of life, and when enforced economy is pressing upon the great mass of our countrymen, I desire to urge with all the earnestness at my command, that Congressional legislation be so limited by strict economy as to exhibit an appreciation of the condition of the Treasury, and a sympathy with the straightened circumstances of our fellow citizens."

A year had wrought marvelous changes. The annual report of R. G. Dunn & Company, for 1893, said:—

"Starting with the largest trade ever known, mills crowded with work and all business stimulated by high hopes, the year of 1893 has proved, in sudden shrinkage of trade, in commercial disasters and depression of industries, the worst for fifty years. . . . The year closes with the price of many products the lowest ever known, with millions of workers seeking in vain for work, and with charity laboring to keep back suffering and starvation in all our cities."

The President said further:—

"After a hard struggle, tariff reform is directly upon us. Nothing so important claims our attention, and nothing so clearly presents itself as both an opportunity and a duty—an opportunity to deserve the gratitude of our fellow citizens, and a duty imposed upon us by our oft-repeated professions, and by the emphatic mandate of the people."

And thus directed, the Democratic Congress, flushed with political success, but confused and distracted by financial and business disorders, entered upon the difficult task of formulating a tariff for revenue only, with free raw materials as the central idea. On the nineteenth of December, Hon. William L. Wilson, Chairman of the Ways and Means Committee of the House, reported a Tariff bill. Before the bill passed the House, there was amended into it an income tax provision which levied a tax of two per centum upon all incomes over four thousand dollars a year "whether said gains, profits and incomes derived from any kind of property, rents, interest, dividends or salaries from any profession, trade, employment or vocation carried on in the United States or elsewhere." This amendment of the bill, by inserting a

provision for taxing incomes, a matter wholly irrelevant to the tariff, illustrates how little the Democratic members of the Committee of Ways and Means understood the effect of what they were proposing. They reported the bill as a revenue tariff measure—a measure which, if it accomplished the design of its creators at all, must produce sufficient revenue to supply the needs of the Government. Yet it was demonstrated soon after the bill was reported, that it would fall short by sixty to seventy-five millions of supplying enough revenue. To make good this deficiency, the majority of the Committee agreed to cross the tariff and the internal revenue, and produce a hybrid—and so they increased the tax on whiskey to raise ten millions, also the tax on playing-cards and cigarettes, and then, to supply thirty millions more, added the income tax.

The bill was debated in the House until the first of February, when it was passed by a vote of 204 yeas to 140 nays. Ex-Speaker Reed closed the debate in the bill for the Republicans in a brilliant speech. Its irony and sarcasm bit into the feelings of the Democrats like acid. In order to counteract the effect of Mr. Reed's speech, Senator Crisp left the Chair and attempted to answer it. The debate was then closed by Mr. Wilson for the bill. It is impossible to measure, or even approximately estimate, the immense damage this bill would have done the country, had it become a law in the form it passed the House. Fortunately, its most radical and threatening provisions, except as to wool, were ameliorated in the Senate, but notwithstanding the Senate amendments, the law wrought serious injury to nearly every industry, and disaster to many. If these amendments had been made upon full and systematic consideration, with a view to some general policy of protection, even if the duties had been inadequate, it would have produced less harm, but they were proposed by individual Senators, and largely with the narrow and selfish purpose of guarding particular industries in particular localities, against injury.

As already suggested, the enactment of the Wilson Bill, as

it was framed in the House, would have greatly crippled and limited the industrial forces of the country in their contributions to the future growth and glory of the Nation. If it had been in operation long enough, it would have left the country in something of the posture which Henry W. Grady described the South as occupying, with respect to its contributions to the industrial and productive interests of the Nation. In one of his brilliant orations, he was picturing in beautiful language this situation, and to illustrate it, he said something like this:—

“The other day I attended the funeral of an old friend who was laid away upon a Georgia hillside, his grave was chiseled into the solid granite of one of her mountains, the wood of the coffin came from Michigan, the sombre fabric that covered it was woven in the looms of Massachusetts, its glittering handles and the nails that sealed the lid came from Pennsylvania, the shroud from Connecticut, and a little later, when the monument was erected to mark the spot where my old friend peacefully slept, it was made of Vermont granite furnished by a Cincinnati dealer, and of all that funeral, with its accessories and memorial, the great State of Georgia contributed nothing, save the corpse and the hole in the ground.”

When the bill reached the Senate, it was referred to the Committee of Finance, of which Daniel M. Voorhees, of Indiana, was Chairman. Senator Voorhees was an able lawyer and an eloquent orator, but he was not well qualified either by experience or disposition, to deal with so serious a matter as the general revision of the tariff laws. He was not a tariff expert, but he had firmly settled opinions in favor of free trade, or low revenue duties. The committees having charge of the bill, both in the House and Senate, denied hearings to interests that were to be greatly affected by the proposed legislation. The majority members seemed to act on the theory that most of those who would apply for an opportunity to be heard, would probably be opposed to the changes contemplated, and they did not want their preconceived notion disturbed. At last hearings were granted to interests which favored revision, and denied or greatly abridged, to those who opposed it. The Senate Committee, or the majority members,

agreed upon a number of material amendments, and on the twentieth of March, reported the bill to the Senate. Senator Voorhees, the Chairman, gave notice that on April 2nd, he would ask the Senate to proceed to the consideration of the bill, and that on that day he would submit some remarks in explanation of the bill and the amendments. Immediately, the bill met the first of the many difficulties and obstacles which it was to encounter before, mangled and disfigured, it emerged from the gauntlet of the Senate. Senator McPherson, of New Jersey, a Democratic member of the Finance Committee, was apparently not willing to let even a week go by, before he expressed his disagreement with certain features of the bill. He said he did not agree to the income tax provision, nor to the sugar schedule proposed by the Committee, and that he would endeavor to strike out the income tax provision, and to amend the sugar schedule.

On April 2nd, Senator Voorhees opened the debate in the Senate. His speech was a fine piece of rhetorical denunciation, but it threw little light on the bill itself. He figured that with the income tax, the customs duties and the internal revenue, a surplus of revenue would result of upwards of twenty-nine million dollars. This estimate varied from the estimate of Speaker Crisp, to the extent of thirty or forty millions. Mr. Crisp conceded that there would be a probable deficit of seventy-five million dollars, but he said of this, thirty millions would be made up from the income tax, ten millions from the increased tax on whiskey, a considerable sum from the tax on playing-cards and cigarettes, and the balance would be saved in economical expenditures. It is quite evident from these statements, that the able gentlemen who devised the Wilson Bill, and those who amended it in the Senate Committee, were not sure of their ground. The Finance Committee proposed an amendment imposing a duty on raw sugar and this, it was anticipated, would raise from thirty to forty millions, but aside from the sugar duty, the Committee amendments did not largely increase the revenue. Even after the increase of revenue provided by the Senate

amendments, there was a deficit at the end of the fiscal year of 1895, of upwards of forty-two million dollars—this demonstrated that the framers of the law had no adequate conception of its effect.

The fiercest onslaught made upon the bill was made by Senator David B. Hill, a Democratic Senator from New York. His speech was directed mainly at the income tax provision, but it was evident that other features of the bill did not receive his commendation. He denounced the income tax as an inquisitorial process, socialistic in its tendency, aimed to extract from the well-to-do the expenses of the Government, and thrust into the bill by representatives of a section where taxable incomes were scarce. Upon this first point he said:—

“An income tax is objectionable because from its very nature it must be inquisitorial in its imposition and collection. The Senior Senator from Indiana (Mr. Voorhees), calls this allegation a “noisy and resounding charge.” Let me tell him that it is not half so noisy as the constant vituperations which we hear on every hand from blatant demagogues who are abroad in the land inveighing against the wealth of the country, and impudently demanding its confiscation through every means which their devilish ingenuity can invent.”

Upon another point he said:—

“The substitution of internal or direct taxes for Custom-House taxation, means the reduction of the wages of American workmen to the European standard. It means the degradation of American labor; it means the deprivation to our workmen of the comforts and luxuries of life to which they have been accustomed.”

Again he said:—

“European professors announce to American professors, who publish and believe it, the birth of a brand new political economy for universal application. From the midst of their armed camps between the Danube and the Rhine, the professors with their books, the socialists with their schemes, the anarchists with their bombs, are all instructing the people of the United States in the organization of society, the doctrines of democracy and the principles of taxation.

“Little squads of anarchists, communists and socialists cross the Ocean, and would have us learn of them. No wonder, if their preaching can find ears in the White House.”

The chief principle of President Cleveland's tariff creed was free raw materials. With these, he believed the American manufacturer and producer could sell so cheap as to compete with the world, without a tariff on finished articles. The Ways and Means Committee endeavored to carry out the President's notion. It put iron, wool, sugar and a great number of things designated as raw material, upon the free list. The Senate Committee placed all these, except wool, on the dutiable list, and thus at one blow destroyed the President's cherished policy. Senator Gorman, who had the instinct of a politician, as well as the talent of a statesman, foresaw what a disaster would be wrought to the fortunes of his party, if the bill as it came from the House, should be enacted into law. He therefore used his great influence to secure such amendments as would afford some protection to American interests, and thereby he hoped to save the Democratic party from the effects of a blunder. In whole, there were 634 amendments adopted by the Senate. The amendments destroyed the fundamental Democratic idea of free raw materials, and *ad valorem* duties. For some inexplicable reason, wool was left on the free list. Senator Sherman made several efforts, while the bill was on its passage through the Senate, to secure an amendment placing a reasonable duty on wool. On July 3rd, he proposed the following amendment:—

No. 278. Wool of the sheep, hair of the camel, goat, alpaca, and other like animals, thirty per cent. *ad valorem*."

This was the rate of duty provided for in the Walker Tariff law of 1846, and was proposed by Mr. Sherman, as a last appeal to the majority of the Senate, for the sheep industry. He made an argument for the amendment. In opening, he said:—

"MR. PRESIDENT, I wish to make a last appeal to the Senate of the United States to give some protection to one of the great industries of our country."

This amendment was lost, the vote being thirty-two yeas and thirty-seven nays. To compensate the farmer for the loss he might sustain with respect to wool, they gave him free bags and a duty of three cents a dozen on eggs, and fifteen cents a bushel on potatoes. On the second day of July, before the bill finally passed the Senate, but after the character of the bill which the Senate was making was well-known, President Cleveland wrote a letter to Mr. Wilson, of the House, (thinking perhaps to influence the majority not to concur in the Senate amendments, or to influence the Conference Committee,) in which he characterized the Senate bill as a departure from Democratic principles which would mean party perfidy and party dishonor. Senator Hill, as the bill was about to be put on its passage in the Senate, saluted it as follows:—

“This is not a Democratic bill, I am sure; it is not a distinctly Republican bill; it is not a Populist bill entire, but it is a mixture of all—it is a rag-bag production—it is a crazy-quilt combination—it is a splendid nothing.”

On the thirty-first of May, Senator Sherman delivered in the Senate an able speech against the Tariff Bill. He demonstrated that it would fail to produce sufficient revenue—he showed its sectional character—that it imposed a duty of eighty-four per centum on rice, a Southern agricultural product, and put wool, produced more largely in the North, on the free list,—that it put cotton ties in the free list, an article used exclusively in the South, and placed a duty of thirty per cent. on hoop iron, used in both sections—that grains of all kinds, grown largely in the North, had a duty of twenty per cent., and peanuts, an exclusively Southern product, a duty of seventy-three per cent. He denied that there was any such thing as raw materials in the sense that they should be made free, and he pointed out how everything that entered into production, had behind it labor—labor that needed protection, as much as did the labor engaged in producing or advancing toward the finished article. He de-

nounced the imposition of a forty per cent. duty on sugar below No. 16, Dutch standard, as so much tribute to the proprietors of the sugar trust, and at the expense of the consumers of refined sugar. He pointed out that the sugar trust had, upon a basis of about nine million dollars of value, capitalized a Company for seventy-five million dollars, and paid large dividends upon the capital. He called attention to the unfair character, as he termed it, of the discrimination between wool and woollen manufacturers—on this point, he said:—

“Wool has been called a raw material. It is an article that takes one year to make, and the farmer, in the winter’s cold and summer’s heat, must contribute to the care of those sheep in order that, at the end of the year, he may clip his crop. It is his complete work, taking more time in its operation than the manufacture of the wool into cloth.”

He refuted this argument, that the McKinley law would result in a deficiency of revenue, and he showed by the records that when it operated under normal conditions, it produced a surplus of thirty-seven million dollars, and that the decrease was occasioned by the decrease of importations, and that this was occasioned by the hope of lower duties.

This was Mr. Sherman’s last speech on the tariff in the Senate.

The House voted to non-concur in the Senate amendments and a Conference was the result. The Conference Committees of the respective Houses labored for nearly two months in an effort to agree. When hope was about gone, the Democrats caucused, and the House was forced to concur in the Senate amendments. A resolution of concurrence was introduced and carried by a vote of 182 to 106. In urging the passage of the resolution, about all that Mr. Wilson could say for the bill was: “I do not believe that it is as bad as the McKinley Bill.” President Cleveland refused to sign the bill, and at the expiration of ten days, it became a law without his signature. The President charged certain members of his party with having stolen the livery of

Democratic tariff reform, and used it in the service of Republican protection, and he said in a letter to Congressman Catchings, that he and the rank and file of the party who had stood loyally to their principles, "have marked the places where the deadly blight of treason has blasted the counsels of the brave in their hour of might."

Before the election of Mr. Cleveland, in 1892, there were some signs of monetary disturbance. This disturbance appeared in an unusual draft on the gold in the Treasury. However, Secretary Foster had no difficulty in maintaining the one hundred million gold reserve with a safe margin up to, and until some time after, the election that year. It is no doubt true that the gold reserve in the Treasury gradually decreased from the passage of the Sherman Silver law, until Secretary Carlisle, in February, 1894, began selling bonds to replenish it, but this affords no evidence that it could not have been maintained at or above the hundred million mark, if the revenue from customs taxes had kept in normal volume. The success of the Democratic party in November, made probable the early inauguration of a low tariff policy. It was understood that Mr. Cleveland would call an extra session of Congress to revise the tariff. From the election on, Secretary Foster had trouble to keep the reserve up to the mark. The Presidential campaign and the uncertainty as to what policy would be pursued, had reduced importations and, as a consequence, the revenues were reduced. After the election, the revenue from tariff duties fell off rapidly. But notwithstanding this, Secretary Foster was able in January and February, to exchange currency for gold with certain banks, and when he surrendered the office to Mr. Carlisle, the hundred million was intact, and nearly a million in excess. It has been said that Secretary Foster had given orders to the Bureau of Printing and Engraving, to have plates engraved for bonds to replenish the reserve, before his retirement as Secretary of the Treasury. Whether he did or not, has not been satisfactorily determined—it became a political issue, and thereby left in doubt. But if he did, it was only a wise

precaution, and proved nothing as to the cause of the condition which rendered this preparation for an emergency, advisable.

On the seventeenth of January, 1894, the gold reserve was less than seventy million dollars. Secretary Carlisle, on that day, issued notice that he would sell for gold, fifty millions of the five-per-cent. bonds authorized by the Acts of 1870 and 1875. Bids were to be received until February 1st. The notice provided that no bid would be considered, unless it offered a premium sufficient to reduce the interest to three per cent. for the term of the investment, which was ten years. The bids came in slowly, and a few days before the expiration of the time, it became apparent that the thing would fail if something was not done to stimulate interest in the sale. As usual, the bankers of New York were called on to help, and they responded as they always had, when the country needed their assistance. The fifty millions were sold for a premium of upwards of eight million dollars. When the gold was all paid in, which was within a period of a little more than a month, the reserve stood at \$107,440,802. In less than three months, it was down to \$78,000,000 and steadily falling. In November, another fifty millions of five-per-cent. bonds were sold to a syndicate of New York bankers, for \$58,538,300, being \$122,617 less than was realized from the former sale of an equal amount of bonds. The credit of the Government was not so good as it had been, and the flow of the gold from the Treasury was rapidly increasing. In December, about thirty-two million dollars was extracted and in January, 1895, up to the twenty-eighth, nearly forty million dollars. On this date, President Cleveland appealed to Congress for some measure of relief. He recommended a low-interest long-term bond, payable in gold, and to be sold for gold, or exchanged for coin notes and they to be canceled. Mr. Springer, of Illinois, introduced a bill in the House conforming to the President's recommendation, but it was defeated by a vote of 135 yeas to 162 nays. On the eighth of February, the President sent a message to Congress,

announcing the making of a contract with a syndicate of New York bankers, with J. P. Morgan as its representative, for the purchase of three million, five hundred thousand ounces of gold coin in exchange for four-per-cent. thirty-year bonds.

Before the bonds were delivered, the President asked Congress to authorize a low-interest bond, which under the contract, could be substituted for the four-per-cent. bond, but Congress refused the legislation. Under the contract, \$62,315,400 in bonds were delivered, and for them, \$65,116,244 of gold coin was paid into the Treasury. In January, 1896, another one hundred million of bonds were advertised for popular subscriptions. By this time, however, the Republicans were in power in the House, and upon the request of the President, they promptly passed two bills for the relief of the Treasury. One was to temporarily increase the revenues by an increase of tariff duties, and the other was to authorize the President to issue a low-interest gold bond to maintain the reserve. Both of these bills were killed in the Senate, by having substituted for each a free coinage measure. The bonds were sold, and enough gold realized to keep the reserve from danger, until the election of McKinley as President, and from that forward, no trouble has been experienced in keeping an ample supply of gold.

During these troublous times, Senator Sherman was accused of being the adviser of the President and Secretary Carlisle, upon financial questions, but we have his word for it, that at no time was he either consulted, or did he advise the President as to his course. It is true that he agreed with President Cleveland, as to the steps taken to maintain the credit of the Nation, and that he considered the President sound in his views of public questions relating to finances. The Senator believed that Congress should grant authority to sell a low-interest short-term bond to meet the emergency, and he used every effort to secure the enactment of such authority, but when this failed, he sustained the administration

in its efforts to maintain the gold reserve, by the exercise of such authority as the law conferred.

During the sessions of the Fifty-third Congress, a very interesting question arose respecting the Island of Hawaii. During the latter part of President Harrison's administration, a revolution occurred in the Hawaii Island, by which the Monarchical Government, under Queen Liliuokalani, was overthrown, and a Provisional Government, Republican in form, was set up. This Government made application for the annexation of the Island to the United States. A treaty for that purpose was negotiated and agreed upon, and the treaty was before the Senate for ratification, when Mr. Cleveland was inaugurated. He immediately withdrew it, and appointed Hon. James H. Blount, member of Congress from Georgia, as a special Commissioner, with instructions to proceed to the Island, investigate the circumstances of the revolution, and report. Upon this investigation, and from other information, the President came to the conclusion that the revolution, if not set on foot by the citizens of the United States, it was at least made successful by the intervention and assistance of Naval officers of the United States. He therefore concluded, that he should do what he could to restore the old Government. He directed the new Minister, whom he appointed, to proceed to the Island and take down the flag of the United States, and take such other steps as were proper, and would contribute toward the restoration of the Queen. This complication forced the establishment of a Republic on the Island, and for some time postponed its annexation.



CHAPTER LXIV.

THE SHERMAN BOOK, THE "RECOLLECTIONS OF FORTY YEARS IN THE HOUSE, SENATE AND CABINET."—THE REPUBLICAN STATE CONVENTION, 1895.—CONTEST BETWEEN HANNA AND FORAKER.—THE LATTER NOMINATES GENERAL BUSHNELL FOR GOVERNOR.

EARLY in the spring of 1895, at his home in Washington, Senator Sherman began a work which he had long designed, but up to that time had only partially accomplished. For some years, he had it in his mind to publish in some convenient form, his more important speeches and reports, with such narrative and explanation as would show their connection with, and application to the questions discussed, and the circumstances which occasioned their delivery or preparation. In 1879, he published a volume which contained his more important speeches and reports, upon the subjects of tariff, money, and taxation, which he had made up to, and including his annual report as Secretary of the Treasury, of the date of December 2nd, 1878. This, of course, covered only a portion of the ground, and the plan necessarily left unnoticed many important facts and circumstances and utterances, necessary to an adequate understanding and appreciation of the Senator's public service, up to the date of the report, mentioned. He considered the question as to whether he should supplement this volume with a compilation of his speeches and reports made subsequently, or adopt a radically different plan—write a history of his life. The latter course being decided upon, the question then arose as to whether the work should cover his entire life, or only that part of it which had been devoted to the public service.

He said this latter question was decided by his publisher in favor of the larger work, to enhance the sale of copies.

Mr. Sherman had been solicited many times to write an autobiography, and many publishers had stood ready to publish it, but he never until this time, felt that he could spare, from his public duties, enough time to appropriately execute so laborious a work. It appeared a stupendous undertaking. A life of Abraham Lincoln, who had been in the public service a little more than six years, filled ten volumes. Mr. Blaine had written two large volumes in setting forth "Twenty Years of Congress," only half the period covered by his career. It will be remembered that Mr. Sherman was then a little more than a month of being seventy-two years old. But few men of his age had ever undertaken a labor of such magnitude and importance. But the most remarkable feature of the matter is that he engaged with his publisher to complete it within six months. He selected the most auspicious time. The Fifty-third Congress had adjourned *sine die*, on the fourth of March. A Republican House of Representatives had been elected at the fall elections of 1894, but the Senate was then and the Executive would be Democratic for two years, and there was little prospect of any important legislation during that time. The Cuban question had not yet presented itself in such a posture, as to seriously engage the attention of those having to do with our foreign relations.

So that Mr. Sherman had, at his command, several months, during which time he would probably not be interrupted or diverted by his public duties. But he was fortunate in another respect. The work could not have been accomplished within the time, nor at all perhaps, had he not had the efficient and indefatigable assistance of his Private Secretary, Mr. E. J. Babcock. Mr. Babcock was one of the most skilful stenographers, of the many in the service of public men at Washington. He had been connected with the most important public affairs at the Capital for years. He had been Private Secretary to Secretary Windom, and for years had occupied

that position with Mr. Sherman. He was as familiar with the legislative proceedings and the great measures of years back, as were the statesmen who participated in them. He remembered better than Mr. Sherman, the details of many of the important matters with which the work had to deal. Mr. Babcock had not only a good memory, but he had an intelligent appreciation of what things meant when he saw them—he knew the historical value of an incident. Besides, he was familiar with public records and documents, and the methods of reference and indexing, which enabled him to find a thing without the loss of time. He was in the prime of life; he was physically capable of almost any amount of labor, he was industrious and accurate. It was under these fortunate circumstances, that Senator Sherman began the preparation of his "Recollections of Forty Years in the House, Senate and Cabinet."

It had been the habit of Mr. Sherman, from the beginning of his service in Congress, to preserve newspaper clippings of the important or interesting events with which he had been connected. Almost every reference to him, or to his speeches and doings were kept in scrap-books.

Many of his speeches outside of Congress were preserved in these newspaper reports, and otherwise they would have been lost. These scrap-books furnished and were used as an index to his life. This index did not refer to many blank pages, even in the early days of his Congressional career. Within a few months after he entered the House, the newspapers found him sufficiently interesting to note his doings. With these, and the "Congressional Globe" and "Record," and the reports and documents, he had a skeleton of his life and work. These usually gave enough of detail and circumstance to furnish a setting for the act. There sometimes yet remained the supplement of thought and opinion which was supplied from memory. This material did not serve as useful a purpose as a diary, but next to a diary, where one's thought and acts are noted, it served the purpose.

It was Senator Sherman's rule, when in his own house,

to breakfast at seven o'clock. This rule was strictly observed during his preparation of his "Recollections." He and Mr. Babcock would begin work soon after seven, and the work would continue with but little interruption, until eleven o'clock at night. This was the program daily. At four o'clock in the afternoon, Mr. Sherman, with Mrs. Sherman or some friend, would ride for an hour or so, and after that the work would go on. It was a tremendous strain upon a man of his age, and must have consumed a large portion of his store of vitality. It is quite probable that Mr. Sherman's physical and mental collapse, before the end of his life, was due to this, more than to the depletion of years.

Soon after the final adjournment of the Fifty-third Congress, Senator Sherman began the preparation of his book in his home at Washington. The work was carried on there in the manner indicated, until about the twenty-fifth of May, when it was interrupted for a few days, and the scene of labor transferred to his home in Mansfield, Ohio. The Republican State Convention of Ohio, for 1895, was to meet at Zanesville, on May 28th, and Mr. Sherman was selected as Chairman. Mr. Sherman made preparation, and left Washington for the Convention, presided over its two days' deliberations, and then went to his home, at Mansfield. This Convention was one of the most interesting in the history of the State. It was the scene of the last legitimate contest between the warring Republican camps which called themselves respectively, the followers of Sherman or Foraker. Senator Sherman had no part in the contest—the gentlemen, who called themselves "Sherman men," were led by Mark Hanna, and Foraker led his forces in person. The Hanna men were not allowed to surrender—they were captured, and even their side arms taken from them.

At four o'clock in the afternoon of May 28th, Mr. Bonner, Chairman of the State Central Committee, called the Convention to order, and presented Senator Sherman as temporary chairman. Mr. Sherman was received with great applause. It will be remembered that he had been working

on his book for nearly two months, yet he delivered an exhaustive address to the Convention. It was an excellent speech, a paragraph of which is quoted to show how carefully he presented the Republican principles, he said:—

“The Republican party, in its National platform of 1892, demanded good money of equal purchasing power, whether coined of silver or of gold, or composed of the United States notes based upon the credit of the United States maintained at par with coin. This is the bimetallic policy. There we stand to-day. I hope and trust we will stand forever.”

This was not the ideal bimetallism, dreamers and doctrinaires had talked about, but it was the practical and useful bimetallism of the United States, and of every other Nation that had kept the two metals in circulation at a parity. As soon as the formal work of the Convention was done, a movement was made to adjourn until the next day, which was in accordance with the general understanding, and the ordinary program of a two-day Convention. But the Foraker men saw their advantage, and sought to have the nomination of the candidate, for Governor, made that night. The Convention then proceeded to nominations and a ballot. Judge George K. Nash was the candidate of the Hanna men; the Foraker candidate was under cover, and was not placed in nomination at all. E. W. Poe received most of the Foraker votes on the first ballot, but it was not their intention to nominate him. The rest were scattered, some going to James H. Hoyt, some to John W. Barger, but fifty-eight votes were cast for General Asa S. Bushnell, who was the real Foraker candidate. Bushnell gained steadily until on the sixth ballot, and at midnight, he was nominated. This Convention was said to have sealed, as the authoritative Republican body of Ohio, the great tripartite agreement which had been entered into, sometime previous. This agreement was to indorse Governor Foraker for the United States Senate, to succeed Senator Brice, Governor McKinley for President, to succeed Grover Cleveland, and somebody else for something

else, but this latter had no enduring importance. At any rate, the platform indorsed McKinley and Foraker for the positions mentioned.

At the end of the Convention, Mr. Sherman went to Mansfield, where he and Mr. Babcock resumed work on the book. It was completed, and in the hands of the publisher about August 30th. The time occupied, including the several interruptions, was barely six months. The result was two volumes, containing together 1,260 pages. It is doubtful, if ever before, two men, in the same length of time, prepared a work of equal bulk, requiring, as this did, historical accuracy and the discussion and elucidation of many abstruse questions.

As to the character of the work, little need be said. That it has defects, is granted. It did not aim at literary excellence. There are, however, some bits of descriptive writing which arise to real literary excellence. This can be said of his description of the Yellowstone country, and his trip through Montana. But more especially, is it true of the description of his journey over the Canadian Pacific Railroad, from Winnipeg to Vancouver and Tacoma, from which an extract is appended to this chapter. It is, what it was intended to be, a plain tale told by a plain man. It embodies, in permanent and accessible form, the important performances of a long and useful life, with such comments and narrative, and with such statement of contemporaneous events as seemed appropriate to convey an adequate appreciation of their value. It is much more, however, than a recital of his personal achievements. His life was so interwoven with the most important events of our National life from 1855 to 1897, that to write the history of one for this period, required the writing of the history of the other. This is especially true of the history of slavery in its latter days, of the questions of money and supplies during the war, of reconstruction, of the refunding and payment of the National debt, and the return to specie payments, of the National Banking system, and of the silver question. In setting forth his connection with and part in these great legislative measures, he must and he

did write a fairly complete legislative history of the period mentioned. His commanding position as a party man during these years, necessitated his writing a fairly complete history of the attitude of the political parties, and of the questions and issues which divided them. There is no other work that covers this entire period, and it will be found useful in tracing through these years, the development and evolution of the great events from 1855 to 1897. It will be exceedingly valuable as a reference book, an index if you please, to the legislative history of the country for this period. The work is written from the stand-point of personal observation, by one of the great actors in a mighty era of which he writes, it therefore has the interesting personality of an autobiography, and the fulness and detail of a history. It contains many interesting letters—letters of men who, during the last fifty years, were not only much in the public eye, but who molded public sentiment, and controlled the course and action of great parties. It contains many statistics and tables, and used with such point, and in such connection as to make them very valuable. It prints many important public documents, acts of Congress, extracts of speeches and reports, and used in such connection as to illustrate the point and issue of the matter with excellent effect. He gives his estimate of some of the distinguished men with whom he was, and had been associated in public life, with his opinion as to their strong and weak points.

It is not the intention to here review Mr. Sherman's book. That it was a valuable addition to our political and legislative history, is certain, but the work has a special value, in that it sets forth clearly and connectedly the rise, the discussion and the disposition of the great public questions of the last half century. It presents, with sufficient fullness, the slavery agitation which immediately preceded and led to the war, with the issue between the sections, and the attitude of the parties and public men of the time. The great questions of finance, revenue and money, which engaged Congress constantly during the period of the Civil War, he

sets forth with a fullness of detail and with an understanding, not found elsewhere in any record or history of this period. His record of the steps taken toward the resumption of specie payments, and its final consummation will not be excelled, even by the future historian, who may write more critically and more methodically of this great act. He traces the various tariff acts from the beginning of the protective system, by the enactment of the Morrill Bill in 1861, to the first successful attempt to overthrow the system, by the passage of the Wilson Bill, in 1894. He records the facts of the demonetization of the silver dollar in 1873, and gives a history of the legislation restoring it to coinage in 1878, and the Silver Purchase Act of 1890. He frankly admits that the law of 1890 was an evil.

When his book was finished, he left it, as he had every other work of his life, to the judgment of his countrymen without apology or comment. He may have thought:—

“What is writ, is writ,
Would it were worthier! but I am not now
That which I have been, and my visions flit
Less palpably before me,—and the glow
Which in my spirit dwelt, is fluttering faint and low.”

The following extract from Mr. Sherman's autobiography is a fair sample of the character and style of his composition:—

“During the summer vacation of 1887, I made a trip across the continent from Montreal to Victoria, Vancouver Island, and from the Sound to Tacoma, going over the Canadian Pacific railroad, and returning by that line to Port Arthur, at the head of Lake Superior then, by one of the iron steamers of the Canadian Pacific road, through Lake Superior and Lake Huron to Owen Sound, and from there by rail to Toronto and home.

“I had for many years desired to visit that country and to view for myself its natural resources and wonders, and to in-

spect the achievement of the Canadian Pacific Railroad Company.

"I was accompanied on this journey by James S. Robinson, formerly Secretary of State of Ohio, ex-Congressman, Amos Townsend, for many years Member from Cleveland, and Charles H. Grosvenor, Member of Congress from Athens, Ohio. We met at Cleveland and spent the next night at Toronto. Thence we proceeded to Montreal, and there received many courtesies from gentlemen distinguished in private and public life. We left Toronto on the night of the first of August, in a special car attached to the great through train which then made its journey to Vancouver in about six days. We halted at Sudbury, the point on the Canadian Pacific from which the Sault Ste. Marie line of railway diverges from the main trunk. We spent twenty-four hours at Sudbury, visiting the copper and nickel mining operations, then in their infancy. Proceeding, we passed the head of Lake Superior, and thence to Winnipeg. At this place the officers of the provincial government showed us many attentions, and I was especially delighted by a visit I made to Archbishop Tache, of the Catholic Church, a very aged man. He had been a missionary among the Indians at the very earliest period of time when missionary work was done in that section. He had been a devoted and faithful man, and now, in the evening of his life, enjoyed the greatest respect and received the highest honors from the people of his neighborhood, regardless of race or religion.

"Proceeding from Winnipeg, we entered the great valley of the Saskatchewan, traversed the mighty wheat fields of that prolific province, and witnessed the indications of the grain producing capacity in that portion of Canada, quite sufficient, if pushed to its utmost, to furnish grain for the whole continent of America. We spent one night for rest and observation at a point near the mouth of the Bow River, and then proceeded to Calgary. This is the westernmost point where there is arable and grazing lands before beginning the ascent of the Rocky Mountains. Here we inspected a sheep

ranch owned by a gentleman from England. It is located at Cochrane, a few miles west of Calgary. It was managed by a young gentleman of most pleasing manners and great intelligence, who was surrounded at the time of our visit by numerous Scotch herdsmen, each of whom had one or more collie dogs. The collie, as everyone knows, is a Scotch production, and it has been imported into this country largely for the service of the great sheep and cattle-ranches of the West. One shepherd was about to depart from Canada to re-occupy his home in Scotland, and among his other effects was a collie, passing under the name of Nellie. She was a beautiful animal, and so attracted my attention that at my suggestion General Grosvenor bought her, and undertook to receive her at the train as we should pass east a week or ten days later. The train, on our return, passed Calgary station at about two o'clock in the morning in the midst of a pouring rain storm, but the shepherd was on hand with the dog, and her pedigree carefully written out, and the compliments of Mr. Cochrane, and his assurance that the pedigree was truthful. Nellie was brought to Ohio, and her progeny is very numerous in the section of the State where she lived and flourished.

"Leaving Calgary, we followed the valley of the Bow River. The current of this river is very swift in the summer, fed as it is by the melting of the snows of the Rocky Mountains. We soon began to realize that we were ascending amid the mighty peaks of the great international chain. We spent one day at Banff, the National Park of the Dominion. Here we found water boiling hot, springing from the mountain side, and a magnificent hotel—apparently out of all proportion to the present or prospective need—being erected, with every indication of an effort, at least, to make the Canadian National Park a popular place of resort.

"All about this region of the country it is claimed there are deposits of gold and silver, and at one point we saw the incipient development of coal mining, coal being produced which was claimed, and it seemed to me with good reason,

to be equal in valuable qualities to the Pennsylvania anthracite.

"Passing from the National Park and skirting the foot of Giant mountains, we entered the mighty valley of the great Fraser River. The scenery between Calgary and Kamloops is indescribably majestic. We were furnished by the railroad company with a time-table in the form of a pamphlet, and a description of the principal railway stations and surrounding country written by Lady Smith, the wife of Sir Donald Smith, of Montreal, one of the original projectors of the Canadian Pacific railroad. This lady was an artist, a poet, with high literary attainment, and her descriptions of the mountains, of the glaciers, of the rivers and scenery were exceedingly well done. We stopped at one of the company hotels, at the foot of one of the mightiest mountains, whose peak ascends thousands of feet into the air, and at whose base, within a few rods of the entrance to the hotel, was the greatest of the mighty glaciers, almost equal in beauty and grandeur, as seen by us, with the far-famed glacier of the Rhone.

"The construction of this railroad through the mountains is a marvel of engineering skill and well illustrates what the persistence and industry of man can accomplish. More than seventy miles of this line, as I remember it, are covered by snowsheds, constructed of stanch timbers along the base of the mountain in such a manner that the avalanches, which occasionally rush down from the mountain top and from the side of the mountain, strike upon the sheds and so fall harmless into the valley below, while the powerful locomotives go rushing through the snowsheds, heedless of the dangers overhead.

"The Fraser River was full of camps of men engaged in the business of catching, drying and canning the salmon of that stream. The timber along this river is of great importance. The Canadian fir and other indigenous trees line the banks and mountain sides in a quantity sufficient to supply the demand of the people of that great country for many years to come. But it was unpleasant to witness the devastation

that the fires made by which great sections of the forests had been killed. The Canadian Government has made a determined effort to suppress these fires in their forests and upon their plains, and it is one of the duties of the mounted police force, which we saw everywhere along the line of the road, to enforce the regulations in regard to the use of fire, but, naturally and necessarily, nearly all these efforts are abortive and great destruction results.

"Vancouver, at the mouth of the Fraser, is the terminus of the Canadian Pacific railway. At this point steamers are loaded for the China and Japan trade and a passenger steamer departs daily, and perhaps oftener, for Victoria, an important city at the point of Vancouver Island. We had a delightful trip on this steamer, running in and out among the almost numberless islands. It was an interesting and yet most intricate passage.

"At Victoria we were entertained by gentlemen of public position and were also shown many attentions by private citizens. We were invited to attend a dinner on board of a great British War Vessel, then lying at Esquimalt. A canvasser of our party disclosed the fact that our dress suits had been left at Vancouver, and being on foreign soil and under the domination of her British majesty's flag, we felt that it was impossible to accept the invitation, and so, with a manifestation of great reluctance on the part of my associates, the invitation was declined.

"We went by steamer to Seattle, Washington Territory, where we remained over night and were very kindly received and entertained by the people. Among the persons who joined in the reception were Watson C. Squire and his wife, then residents of the territory. Mr. Squire, after the admission of Washington as a State, became one of its Senators.

"We were joined on this part of our journey by Carter H. Harrison of Chicago, whose fourth term of office as mayor had just closed, and who was escorting his son and a young friend on a journey around the world. While waiting for the departure of the Canadian Pacific steamer from Van-

couver, he joined in this excursion through the Sound. He was a most entertaining conversationalist, and we enjoyed his company greatly.

"There was much rivalry at that time between the growing cities of Seattle and Tacoma. At a reception at Seattle, one of the party, in responding to a call for a speech, spoke of having inquired of a resident of Seattle as to the whereabouts of Mount Tacoma. He said he was informed by the person to whom he applied that there was no Mount Tacoma. On stating that he had so understood from citizens of Washington Territory, he was informed that somebody had been humbugging him, that there was not then and never had been a Mount Tacoma. The gentleman was informed however, that in the distance, enshrouded in the gloom of fog and smoke, there was a magnificent mountain, grand in proportions and beautiful in outline, and the mountain's name was Rainier. Later on he said he had inquired of a citizen of Tacoma as to the whereabouts, from that city, of Mount Rainier, and the gentleman, with considerable scorn on his countenance, declared that there was no such mountain, but in a certain direction at a certain distance was Mount Tacoma. The gentleman closed his speech by saying, whether it was Mount Tacoma or Mount Rainier, our party was unanimously in favor of the admission of Washington Territory into the Union.

"We visited some sawmills at Tacoma where lumber of monstrous proportions and in great quantities was being produced by a system of gang saws. This is a wonderful industry and as long as the material holds out will be a leading one of that section. The deep waters of Puget Sound will always offer to the industrious population of Washington ample and cheap means of transportation to the outside market, and I predict a great future for the State.

"We returned east more hastily and with fewer stops than in the western journey. We spent a night at Port Arthur, and the next day, embarking upon one of the great steamers of the Canadian Pacific line, found among our fellow passen-

gers Goldwin Smith, the distinguished Canadian writer and statesman. We had a most pleasant trip, arriving at Owen Sound without special incident; thence to Toronto, and by steamer to Niagara, where we remained until the next day, when our party separated for their several homes. The trip occupied exactly a month and was full of enjoyment from the beginning to the end.

"After my return home I wrote a note to General Sherman, describing my impressions of the country. In this I said:—

"My trip to the Pacific over the Canadian railroad was a great success. We traveled 7,000 miles without fatigue, accident or detention. We stopped at the chief points of interest, such as Toronto, Montreal, Sudbury, Port Victoria, Seattle and Tacoma, and yet made the round trip within the four weeks allowed. We did not go to Alaska, because of the fogs and for want of time. The trip was very instructive, giving me an inside view of many questions that may be important in the future. The country did not impress me as a desirable acquisition, though it would not be a bad one. The people are hardy and industrious. If they had free commercial intercourse with the United States, their farms, forests, and mines would become more valuable, but at the expense of the manufacturers. If the population of Mexico and Canada were homogeneous with ours, the union of the three countries would make the whole the most powerful nation in the world."



CHAPTER LXV.

CUBA.—EFFORTS OF REPUBLICANS IN CONGRESS TO RELIEVE CLEVELAND'S ADMINISTRATION.—THE FIRST DINGLEY BILL.—SHERMAN'S POSITION AS TO RELIEF.—THE FIRST CUBA RESOLUTION PASSED BY CONGRESS.—SHERMAN DECLARES FOR FREEDOM OF CUBA.—HE OPPOSES ANNEXATION.—THE REPUBLICAN NATIONAL CONVENTION OF 1896.—THE CANDIDATES.—HANNA.—CONVENTION INCIDENTS.—THE SITUATION AT OPENING OF CANVASS.—THE CAMPAIGN.—MCKINLEY ELECTED.

THE Fifty-fourth Congress assembled on December 2nd, 1895. At this time the condition of the National finances was the worst they had been in, during a time of peace, for more than forty years. The customs duties which, for the fiscal year 1893, had amounted to \$203,000,000 in round numbers, had shrunk about one-third in volume. The United States Supreme Court, early in the year, had held the income tax law unconstitutional, and thus cut off all hope of revenue from this source. The gold reserve was showing no signs of stability. Within a period of less than two years, the public debt had been increased \$162,000,000, and another large increase was in sight. The House organized by the election of Thomas B. Reed, as Speaker—the vote on the election of Speaker stood 240 for Reed, and 95 for Crisp. The Democratic majority of four years before had melted, and now the Republicans had almost as large a majority. The Republicans had regained the Senate by a small plurality. During the Fifty-third Congress, the Senate being Democratic, Mr. Sherman ceased to be Chairman of the Committee on Foreign Relations, but his Republican colleagues elected him Chairman of the Republican Senate Caucus, which position, under the rules, gave him a Committee

Room and a Committee Clerk. When the Republicans of the Senate reorganized that body, Senator Sherman was assigned to his old place as Chairman of the Committee of Foreign Relations, and to his ranking position on the Committee on Finance.

Aside from the appropriation bills, no legislation of special importance was enacted during this Congress. As has already been related, the House undertook to afford relief by a bill to increase tariff duties, and by a bill to authorize a low-interest bond, but both of these were defeated by the Senate substituting for each, a free coinage measure. This Congress, however, by resolutions and discussions, attracted attention to the character of the war that was being waged by Spain, against the so-called insurgents, on the Island of Cuba. Some time before the opening of this Congress, a Revolution had broken out in Cuba, and the revolutionists had established a Government, Republican in form, and it was exercising authority over some considerable territory of the Island. A resolution was passed by one of the Houses to grant belligerent rights to the Cubans; another to recognize the Republic of Cuba, and another directing investigation into the conditions attending the war. But the time was not yet ripe for any positive intervention in, or interference with, the contest between the combatants. Revolutions had been a frequent occurrence on the Island, and while the Cubans, struggling for freer and better government, always received the sympathy of most Americans, yet it required some extraordinary cause to justify interference from the Government.

The discussion of resolutions in the Fifty-fourth Congress, brought to the common knowledge an understanding that such an extraordinary condition existed in Cuba, and that it was the duty of the Government to interfere and, in the name of humanity, to stop a cruel and barbarous war.

Mention has already been made of the attempts of the Republican Senators and Members of the Fifty-fourth Congress to relieve the financial stress of the administration. The

facts, given a little more in detail, will show how anxious Senator Sherman was to afford such measure of relief as would save the President from embarrassment, and the country from loss. It will be remembered that the House passed two measures, which, while temporary in character, were yet such as would probably safely bridge over the present difficulty. The one was a bill increasing tariff duties so as to furnish additional revenue estimated at forty million dollars; the other was a bill authorizing a three per cent. gold bond to be sold in place of the high-interest bonds authorized by the existing law. The bills were referred to the Committee on Finance. As it happened, when this Committee was made up in the reorganization of the Senate Committees, which occurred during the session, the Republicans had only a nominal majority. The balance of power was held by Senator Jones, of Nevada, whose connection, with the Republican party at this time, was only nominal. The Democratic members of the Committee for a time, refused to vote in favor of reporting the Tariff Bill, and Senator Jones declined to vote with the Republican members.

While the bill was in this situation, hung up as it were, a debate came up in the Senate over the bill, to issue certificates of indebtedness, or short bonds. An amendment was proposed in the Senate for the free coinage of silver. Senator Sherman, in a speech, delivered on January 22nd, (1896), declined to discuss the silver question, but called attention to the fact that if a silver amendment was adopted it would certainly be defeated in the House, and the result would be the probable defeat of any measure of relief. He called attention to the urgent request of the President, and said it was the duty of public men to afford temporary relief, without regard to politics and political questions. This led to a discussion of the cause of the distress of the Government in its financial resources, and Mr. Sherman contended that primarily the trouble was in the deficient revenues; that while ostensibly the bonds were sold to replenish the gold reserve, the gold was actu-

ally used for the ordinary expenses of the Treasury. As to his readiness to assist the administration, Mr. Sherman said:—

“As I have expressed before (and I did not intend to say as much as I have said), in my opinion, all that is necessary is to pass these two bills. Therefore, I wish it distinctly understood, so far as my voice can carry what I utter at this moment, that the whole trouble and fear in the Senate of the United States grows out of the desire of debating an old, worn issue, the free coinage of silver, instead of applying the remedy which the President asks for, which a Republican House has granted, and which we, on this side of the Chamber, are ready at any moment to pass.”

This debate presented the anomaly of the opposition Senators, striving to do something to relieve the administration, while the Senators, or most of them, belonging to the party in power, as strenuously sought to do that which would defeat any measure of relief.

Early in this session, Senator Call, of Florida, introduced a resolution calling for information with respect to the war in Cuba. He followed this with a resolution asking that the reports of our Consuls, in Cuba, be sent to the Senate. Senator Sherman questioned the wisdom of this latter resolution upon the ground that it might expose our Consuls on this Island to danger, if their reports were published. He said that if an appropriate resolution was introduced and passed, the Committee on Foreign Relations would furnish to the Senate, all the information it possessed upon the subject of the war. Finally, the Committee on Foreign Relations reported the following resolution:—

“That in the opinion of Congress, a condition of public war exists between the Government of Spain and the Government proclaimed, and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.”

To this resolution, Senator Cameron, of Pennsylvania, proposed the following amendment:—

"Resolved further, That the friendly offices of the United States should be offered by the President to the Spanish Government, for the recognition of the independence of Cuba."

Upon this resolution and the amendment, Senator Sherman, on February 28th, made a very able speech in which he reviewed the former revolutions in Cuba, the character of the warfare carried on by Spain, and expressed fully and frankly his opinion as to the course the United States should pursue. It is not the purpose here to set forth, with any great detail, Mr. Sherman's attitude toward the Cuban Revolution, except to make clear two points, which are important as bearing upon and illustrating some opinions which he expressed after he was out of office, and for which he was criticised and misunderstood. These two points are, that he was in favor of the independence of Cuba, but not of its annexation to the United States. In his speech, he called attention to the fact that the Provisional Government, established by the Cuban people, was a Republic, and secured to the people every right which the American Government secured to its people. He presented figures showing the importance and magnitude of the trade with Cuba, and asserted that the United States would not permit any European Nation, save Spain, to acquire any ownership of the Island, or exercise any rights therein. He then said:—

"Mark it, Mr. President, I am not in favor of the annexation of Cuba to the United States. I do not desire to conquer Cuba in any sense. I do not desire to have any influence whatever upon their local autonomy."

He referred to General Weyler, just before appointed Governor-General of Cuba, as a man whose reputation stripped of all honorable aims of military authority, and "as a brute, pure and simple, his hands forever stained with blood of defenseless men and women." As to the character of the warfare, he said:—

"I wish to say, upon my own responsibility, that if this line of conduct is pursued by Spain in Cuba, and the people of the United

States are informed of the conditions as they are narrated daily in the public papers, there is no earthly power that will prevent the people of the United States from going over to the Island, running all over its length and breadth, and driving out from the little Island of Cuba, these barbarous robbers and imitators of the worst men who ever lived in the world."

In conclusion, he said:—

"Sir, whatever may be result of the adoption of this measure, I desire to take my share of responsibility in connection with it, and with a confidence in the judgment of the Almighty Ruler of the Universe, I believe it will be wise if we can assist, and all the other nations of America concur in securing to the people of Cuba, the same liberties we now enjoy."

The resolution passed the Senate, by a vote of sixty-four yeas to six nays. The House amended the resolution by injecting a recital of the facts which seemed to justify the action proposed, and the resolution went to a Conference Committee, of which Mr. Sherman was Chairman of the Senate Conferees. The Committee recommended that the Senate concur in the House amendment. Upon the resolution, Senator Hale, of Maine, made an elaborate speech in opposition to the proposition of interference in the affairs of Cuba. About this time appeared the first sign of that opposition, from Republican Senators, which afterwards developed into a long and persistent antagonism to the policy of imperialism. On March 9th, Senator Hoar proposed a resolution to postpone the consideration of the Conference Committee report, until April 6th, and that, in the meantime, the Committee on Foreign Relations investigate and report to the Senate the facts which justify the passage of the main resolution, and the evidence taken. This seemed to be an attempt to delay all action, and it was vigorously opposed by Senator Sherman. He said:—

"I shall object to the resolution in every stage in which it is presented. I regard it as a reflection upon the Committee on Foreign Relations, which spent one month, laboriously considering the question now under debate. Now, after the two Houses, by overwhelming majorities, adopted such resolutions, I am decidedly op-

posed to having a resolution introduced here to postpone the subject until April 6th, next to be discussed in mock debate. Therefore I object."

Mr. Hoar said:—

"Does my friend object to the usual courtesy of a postponement of the resolution until to-morrow?"

Mr. Sherman said:—

"If the Senator wishes to give his opinions on the Cuban question it is before him."

Thereupon, Senator Hoar commenced a speech against the resolution recommended by the Conference Committee. His speech was interrupted by other business, but on the next day he continued, and made an exhaustive and scholarly address. He complained of Mr. Sherman for having questioned his motives, and asserted his sympathy with people anywhere who were struggling for liberty, but he thought the United States was not justified in interfering in the manner proposed in the resolution. On March 12th, Mr. Sherman answered the argument of the Senator from Massachusetts. He referred to, and read numerous documents and papers showing the inhuman character of the war upon the part of Spain. In closing his speech, he said:—

"In my judgment this war ought not to end it; it ought to continue until the Cubans attain their freedom against Spanish oppression, until they are armed with home-rule, and have power to make laws for themselves. If that be done then all America is Republic, for Canada to-day is as much of a Republic as the United States of America. It is held to the mother country only by the ties of friendship, and Auld Lang Syne. Every part of this great hemisphere, discovered by Columbus, is destined to be the place where free institutions will develop to the very uttermost, and from which they will be extended, I trust, to all the nations of the world."

Finally, when the debate on the Conference report had gone on at great length with no prospect of ending, Senator Sher-

man secured a new Conference, and as a result the House receded from its amendment, and concurred in the Senate resolution. This ended the matter for this Congress. It might be mentioned here, although it is to be used in another connection, that Mr. Sherman had announced, long before there was any question of the acquisition of foreign territory contemplated, as the result of the war then pending in Cuba, that he was opposed to extending our territorial limits beyond their present boundaries. The last paragraph of his book, written late in August, 1895, is as follows:—

“The events of the future are beyond the vision of mankind, but I hope that our people will be content with internal growth, and avoid the complications of foreign acquisitions. Our family of States is already large enough to create embarrassment in the Senate, and a Republic should not hold dependent provinces or possessions. Every new acquisition will create embarrassment. Canada and Mexico, as independent Republics, will be more valuable to the United States than if carved into additional States. The Union already embraces discordant elements enough without adding others. If my life is prolonged I will do all I can to add to the strength and prosperity of the United States, but nothing to extend its limits, or to add new dangers by the acquisition of foreign territory.”

Those who have attributed Senator Sherman's opposition to the foreign policy of the administration of McKinley, after his retirement from the office of Secretary of State, to pique and resentment, should read these words, and apologize to the memory of a man who was only consistent and frank. The first session of the Fifty-fourth Congress adjourned on the eleventh of June, 1896.

Five days later, on June 16th, the Republican National Convention met at St. Louis. Long before the Convention assembled, the Republicans of the Nation had practically decided upon their candidate for President. Some time in 1895, perhaps late in that year, Marcus A. Hanna, who was then simply a successful business man of large means, and with only a State reputation in politics, undertook the management of a campaign to nominate William McKinley for Pres-

ident. Mr. Hanna, at that time, had never held nor sought an office. He had been a delegate to one or two National Conventions, and had some acquaintance with the public men of the country.

He set about in a practical, business-like way, not so much to make sentiment for Governor McKinley, as to give expression and representation to the sentiment which already existed, and predominated. In December, 1895, soon after Congress assembled, Mr. Hanna came to Washington, and organized the Republican members of Congress from Ohio into a general utility body, to advance in every way possible Mr. McKinley's candidacy. General Grosvenor was made chairman of the organization. During this session of Congress this organization met weekly in a room in the Cockran Hotel, on Fourteenth Street, to compare notes and discuss means. At this time there were nineteen Republican members of Congress from Ohio, and these, mingling every day with the Representatives of every section of the country, had a most favorable opportunity to learn the sentiments of the several sections. Such information as was important would be communicated to Mr. Hanna, at Cleveland. Speaker Thomas B. Reed was the only announced candidate against Governor McKinley—there were favorite-son candidates, but they were expected only to warm themselves in the sunshine of local favor for a brief time, and then go for McKinley. Mr. Hanna had so thoroughly and skilfully organized the McKinley forces, prior to the meeting of the Convention, that nothing short of a miracle could defeat Ohio's candidate. The success of this movement, however, was due much more to Governor McKinley's strength and popularity, as a candidate, than to the organization working in his behalf.

Senator Fairbanks was made Temporary Chairman of the Convention. He was received enthusiastically by the Convention, and delivered an able speech. Senator John M. Thurston, of Nebraska, was made Permanent Chairman. Governor Foraker, who in January had been elected by the Ohio Legislature as Senator Sherman's colleague in the Senate, was

elected Chairman of the Committee on Resolutions. Mr. Hanna was elected Chairman of the National Committee. The platform was read by Governor Foraker on the third day of the Convention, and before the candidates were presented. The following plank caused a split in the Republican party, it was hardly a split, but rather a splinter flew off of the main trunk of the party:—

“The Republican party is unreservedly for sound money. It caused the enactment of a law providing for the resumption of specie payments in 1879. Since then every dollar has been good as gold. We are unalterably opposed to every measure calculated to debase our currency, or impair the credit of our country. We are therefore opposed to the free coinage of silver, except by international agreement with the leading commercial nations of the earth.”

When the question of adopting the platform was submitted to the Convention, Senator Teller took the platform, and presented a minority report from the Committee on Resolutions, on which Committee he was the representative from the State of Colorado. From the minority he presented the following money plank:—

“The Republican party authorizes the use of both gold and silver as equal standard money, and pledges its power to secure the free and unlimited coinage of gold and silver at our mints, at the ratio of sixteen parts of silver to one of gold.”

Senator Teller made a decorous speech in support of the minority proposition. He gave notice that unless the declaration presented by the minority was adopted, he and his associates would feel compelled to leave the Convention, and the Republican party. His remarks had not the element of frankness. He had previously found fault with many of the cardinal principles of the Republican party, and upon occasions had attempted to strip from the party the credit of much of its great service to the country. He had, in fact, separated from the Republican party long before the St. Louis Convention, and he had simply selected this manner of announcing the antecedent fact, because it was thought it

would be a conspicuous sign of disorganization and discomfiture. The platform was adopted, and Senator Teller, Senator Dubois, Senator Cannon, Senator Pettigrew, Congressman Hartman and others walked out of the Convention. While these gentlemen were going out the band played some cheerful music, the delegates sang an appropriate verse or two, and then the Convention proceeded with the business before it.

The next thing in order was the nomination of candidates. Iowa presented Senator William B. Allison. Senator Henry Cabot Lodge nominated Thomas B. Reed, of Maine, in an eloquent speech. Mr. Reed's nomination was seconded by Mr. Littlefield, of his State. Mr. Littlefield was then little known, but he afterwards achieved great and deserved distinction as a Member of the National House of Representatives. Chauncey M. Depew nominated Levi P. Morton, of New York. The mention of Speaker Reed's name evoked an enthusiastic response—it was a tribute to the greatness of the man, but not to his candidacy for President. The depths of the Convention had not yet been sounded, its surface had only rippled. At this point Governor Foraker was seen making his way to the platform from his place in the Ohio delegation. The Convention arose, and met him as he faced about on the platform—met him with a demonstration that settled all question as to who was its choice.

Foraker nominated William McKinley in an eloquent and appropriate speech. In the middle of it he mentioned the name of his candidate, and for twenty-five minutes the Convention was a pandemonium of noise and demonstration. When it subsided the Governor said, in his inimitable way: "You seem to have heard the name of my candidate before." Senator Quay was nominated by Governor Hastings, of Pennsylvania. McKinley's nomination was seconded by Senator Thurston. Then a ballot was taken. Out of a possible vote of 906, Governor McKinley received 661½, and was declared the nominee of the Convention amid great applause. Garret A. Hobart, of New Jersey, was nominated for Vice-President.

The Democratic National Convention met in Chicago on

July 7th, and nominated William J. Bryan, of Nebraska, for President, and Arthur Sewall, of Maine, for Vice-President. The chief plank of the platform provided that:—

“We demand the free and unlimited coinage of both gold and silver, at the present legal ratio, without waiting for the aid or consent of any other Nation.”

This declaration met some opposition in the Convention. A minority report was submitted, signed by Senators Hill, Vilas, Gray and other prominent members of the Convention. It was on the discussion of the question of this plank that Mr. Bryan made the speech which resulted in his nomination. The minority report was voted down by an overwhelming majority, and the free silver declaration adopted as the creed and battle-cry of the Democratic party. After the adoption of the platform, Hill and his associates declined to participate further in the proceedings, although they did not formally withdraw from the Convention. Mr. Bryan was nominated on the fifth ballot. When the campaign opened, Mr. Bryan was a most attractive figure in American politics. He had enthralled a great Convention, and vanquished for nomination the putative father of the silver dollar. He was young, aggressive, courageous and wielded that magician's wand, eloquence. Major McKinley was a different character of man, and occupied a different position altogether. He had been much longer in the public service, and was much better known as a public man than Bryan. He occupied a high position as a popular orator, but he was conservative, dignified, not as dashing or debonair as Bryan, and his notion of propriety kept him at home during the canvass. Mr. Bryan was not troubled with such limitations.

At first the advantage was clearly with the Democrats. During the first month, or six weeks, the trend of sentiment was toward free silver. The promise of more money struck joyfully upon many ears, and the denunciation of gold, as a monster of “frightful mein,” aroused enmity and resentment in the hearts of many. A campaign of education was inaug-

urated by the Republicans. It then was a contest between an appeal to the feelings, and an appeal to the judgments of the voters. Early in the campaign Senator Sherman delivered a speech at Columbus, Ohio. This speech was the formal opening of the campaign, in Ohio, for the year, and was made on the fifteenth of August, 1896. It was in fact the first set speech of the National campaign of the year. Although this speech was intended to be an exhaustive presentation of the money question, it touched upon other relevant questions, such as the tariff, the achievements of the parties, and the personnel of the candidates. It is too long to set forth in full, and it is so connected in statement and argument that the printing of extracts would wholly fail to give an adequate idea of the perfection of the utterance, as a popular exposition of the question, upon which the contest was determined. At this time Senator Sherman was past seventy-three years of age. Contrary to the habit of his life, he read the address from the manuscript. It was a most able address, and while it dealt mainly with facts and principles, which he had frequently used in his congressional speeches upon the silver question, he yet presented them in such form as to be easily understood by the general body of voters, whose ears he desired to reach.

This year, for the first time, the demand for the free coinage of silver, at the legal ratio, was made a National issue by the Democratic party. During the preceding four or five years, in a number of the States, the Democratic party, in State or local platforms, had declared for the free coinage of silver at the ratio of 16 to 1, but prior to 1896, either owing to the candidate or the sentiment of those who, for the time, controlled the platform declarations, the National Democratic party had not staked its fortunes upon this issue. But now it subordinated (if it did not wholly eliminate), every other question, to this one. It even went to the length of refusing to commend "the honesty, economy, courage and fidelity of the Cleveland administration," then in power. At the outset the campaign presented a feature altogether unique. Ordin-

arily, the party in power is charged with and is held responsible for the disorders and calamities, which afflict the people during its reign, whether it is justly chargeable with them or not; but, in 1896, the leaders of the Democratic party shaped their course with such *finesse* as, for a time, to escape responsibility for their own administration, and actually impressed a great many Republicans with the belief that the trouble was located in the money system, and that if that was repaired the Democratic party could run the Federal Government satisfactorily. The Democratic party, as organized for the campaign of 1896, had a very marked advantage, at the outset, in that the free silver arguments had been widely distributed in fascinating dress for some years, while its opponents had not seriously, or at least systematically, attempted to combat these arguments. The Republicans had regarded the tariff as the controlling National issue, and they looked upon silver as a question for local use, and not one that would likely arise to the dignity and importance of being the sole issue in a Presidential election. The Democratic platform was, therefore, somewhat of a surprise, but the Republicans were astounded when, in the first month or two, they sounded the depths of the free coinage sentiment. It was at the end of this period that they settled down to a campaign of education. Very seldom has a political organization, laboring under adverse circumstances, drawn its battle line and chosen its position with more skill than did the Democrats in 1896. It was a "ground-hog case," but none the less skillful on that account. The Democratic tariff, embodied in the Wilson law, had proven a disastrous failure. A request to be continued four years to amend this law, or to try a new one, would have been ridiculous under the circumstances. There was considerable dissatisfaction in the labor organizations, at what the politicians had designated "Government by injunction," but this question was not large enough, of itself, to furnish the issue of a Presidential campaign. The question must be a fundamental one, one of such importance as would compete with the tariff as a cause for the business disorders, and

calamities, which had so seriously afflicted the country, during the three preceding years. The gold standard, a simple principle of monetary science, was metamorphosed, by the eloquence of Mr. Bryan, into a veritable jaugernaut, which mammon was ruthlessly driving over the poor and defenseless. For a time many men hated the gold standard with a personal hatred, they denounced it as though it were a palpable, personal enemy, and to it they attributed their personal failings and misfortunes. They looked upon it as a pestilence from which the land should be freed by fumigation and quarantine, and that its existence was incompatible with health and vigor, in the business and industrial branches of the public body, and they, therefore, regarded its existence with passionate resentment. The friends of the existing money system had a most difficult task to sustain it, under the conditions. The passions of its opponents had to cool before their minds could be impressed with reason; it was not a time to meet charge with countercharge, and denunciation with denunciation; it was not a time even when the appeal to party loyalty was potential; it was, at first, a brief waiting, the frenzied state did not last long, and then the calm and considerate argument of the issue, and the thoughtful consideration of the question. When it was first discovered that labor had been wearing a crown of thorns, and that mankind was in danger of being crucified upon a cross of gold, there was a blaze of indignation swept over the land—when this subsided men who had never read much stayed indoors at night, and, by the light of oil lamps and candles, picked their way slowly through documents and newspapers to a fair understanding of the money question. When this stage was entered upon there was no question as to the result. The calm, judicious speeches of Governor McKinley, from the veranda of his home at Canton, contributed much toward a calm and judicious investigation and consideration of the money issue. He did not attempt to stir the passions, nor appeal to the prejudices of those who gathered about his door-step to hear him, but he simply and calmly presented his beliefs, with appropriate ar-

guments and reasons, and left the rest to the voices of his countrymen. Mr. Bryan chose a different course. Soon after nomination he entered upon a personal canvass, the itinerary of which took him into many of the States. During the campaign he spoke to hundreds of thousands, his speeches were brilliant, and his powers of endurance marvelous. After the first flush of enthusiasm and excitement he lost ground steadily. He pitted his fascinating eloquence against facts and reason, and lost.

McKinley carried twenty-three States, and Bryan twenty-two, but in the popular vote McKinley had a majority over Bryan of 598,633, and in the electoral vote a majority of 95. Aside from those classed as silver States Mr. Bryan carried but two northern States, viz.: Kansas and Nebraska. McKinley carried three States usually classed as southern States, viz.: Kentucky, West Virginia, and Maryland. The real character of the result is seen better in the majorities of the great industrial, business and commercial States. Massachusetts gave a Republican majority of 173,265, Illinois 143,098, New Jersey 87,692, New York 268,469, Ohio 51,109, and Pennsylvania 295,072. The two Houses of Congress, in joint session, counted the electoral votes, and the Vice-President declared William McKinley duly elected President, for the term beginning March 4th, 1897.



CHAPTER LXVI.

MARK HANNA AND THE NEW CABINET.—SHERMAN TALKED OF FOR SECRETARY OF STATE.—HIS AGE.—HE ACCEPTS PROFFER OF STATE DEPARTMENT.—THE SECOND SESSION OF FIFTY-FOURTH CONGRESS.—THE FIRST DINGLEY BILL.—MR. SHERMAN'S VIEWS AS DUTY TO SUPPLY REVENUE.—SENATOR QUAY'S MOTION.—THE NICARAGUA CANAL.—SENATOR SHERMAN'S LAST WORDS IN THE SENATE.—THE EXTRA SESSION OF SENATE.—FORAKER AND HANNA BECOME OHIO'S SENATORS.—THE INAUGURATION OF MCKINLEY.—SHERMAN AS SECRETARY OF STATE.—WAR BETWEEN UNITED STATES AND SPAIN DECLARED.—SHERMAN RESIGNS.

FOR some weeks after the election of McKinley, in November, 1896, political gossip centered upon two subjects, viz.: Mark Hanna and the new Cabinet. Mr. Hanna shared with the President-elect the honors of the Republican victory. As Chairman of the Republican National Committee he had directed the campaign for his party with a tact and vigor which won for him the universal commendation of Republicans, and the admiration of the whole country. There was no dissent from the opinion of his party associates that there should be conferred upon him some honor, commensurate with the great service he had rendered. His name was freely discussed in connection with a Cabinet position. Mr. Hanna's education and experience had not fitted him for Secretary of State, but he was eminently qualified for the head of the Treasury Department, and to that position he was assigned in the current gossip of the time. But as matters drifted along it became evident that, if he would accept a Cabinet place at all, it was not his first choice of honors. Very soon it was reported in the newspapers that it was probable that Senator Sherman would be

offered the appointment of Secretary of State. If this was authoritative, it gave a very clear intimation that the President-elect was clearing the way for Mr. Hanna to enter the Senate. The suggestion of Senator Sherman for Secretary of State met with almost universal commendation. There could be no question but that his training and experience gave him an especial fitness for the duties of the position, but his age should have been counted a more important consideration than it seems to have been. Looking at the matter in the light of subsequent events, it does seem that in the desire to make a vacancy in the Senate by the appointment of Senator Sherman, that some important considerations were either disregarded or overlooked. Some months prior to this time his intimate friends and associates had observed evidences of failing memory. The impairment was not sufficient to greatly impair his usefulness as a member of the Senate, but it should have been regarded, in a man of seventy-three, as an insuperable objection to his being called to the discharge of the delicate and intricate duties, of diplomatic character with a foreign war possible, and difficult questions of international intercourse probable, if such questions were not then pending. Senator Sherman could not see himself as others had opportunity to see him. He was not conscious of any diminution in his mental powers—no doubt he felt as capable as he had in some years—and when the call was made upon him, it was put in such form, that he could not well decline. He regarded it as a duty to assist the incoming administration in every way he could, and when it was suggested to him that his acceptance of the Premiership was the key to the formation of such a Cabinet as the President-elect desired to form, he did, as he had done in 1876, when he accepted the position of Secretary of the Treasury, overruled his personal inclination, and took the place as a matter of duty.

The second session of the Fifty-fourth Congress assembled December 7th, 1896. Interest centered chiefly, in two questions, viz.: the immediate necessity for the sale of more

bonds, and the war in Cuba. President Cleveland, in his annual message, said, in reference to the war in Cuba, that the United States would not indefinitely wait for Spain to conquer or subdue the insurrection, and that such condition might arise as would "constrain our Government to such action that will subserve the interests thus involved, and at the same time promise to Cuba and its inhabitants an opportunity to enjoy the blessings of peace." During this session many resolutions were introduced in the House and Senate, with respect to Cuba, but no definite action was taken. The resolution of the previous session already referred to, seemed to proclaim with sufficient definiteness the attitude of Congress; public sentiment was growing rapidly toward a positive interference by the Government, but it seemed wise to postpone interference until the justification for such action was incontrovertible, and this was the view that controlled during this session.

On the sixteenth day of December, Senator Vest called up the Dingley Bill, in the Senate, for the purpose of offering some remarks of a political character. He said, in opening, that he was aware that in calling up the Bill, and offering criticisms as to his details, he was violating the maxim of *de martuis nil nise bonum*. He denied that there was any deficiency of revenue, and declared that if the money idle in the Treasury was used, and other sources of revenue utilized, there would be no occasion to increase tariff duties. Senator Sherman replied to the remarks from the Senator from Missouri in a brief speech. He said he would not participate in the political feature of the debate. After some remarks in respect to the duty of Congress to supply sufficient revenue to carry on the operations, and preserve the credit of the Government, he continued as follows:—

"All I wish to say is that if we can take up the Dingley Bill I am willing to do it. If we are to play fast and loose, and talk about silver and other matters which have no connection with a Tariff bill at all, then, as a matter of course, it is idle and useless to

take it up; it is a waste of time; but if we can have any assurance whatever, on our side of the Chamber, that we can take up the Dingley Bill, and provide enough revenue in some way or other to carry on the operations of the Government, we will gladly join in that movement. That bill, it is proposed, shall last but for a year, and it is not a matter of great importance. We can live through that year under it, if necessary. It would be a wise act for this Congress, and for the Senate especially where the block is made, and where it ought to be rectified, to take up the Dingley Bill sent to us by the House of Representatives, which it is conceded, would add to our revenues \$40,000,000. We ought to pass it as it is, defective as it is, but without those riders which will prevent it from becoming a law.

"The silver rider was a mere cowardly evasion of a great and important duty. I say, with all the emphasis of the words I can give to it, that the proposition to go to the silver standard, for that is what it means, was introduced in order to defeat the bill itself. It is wrong, but whether wrong or right in itself, it had no place on the Tariff Bill. It had no connection with our revenues or expenditures. It was put there to prevent the proper action of Congress in passing a revenue bill, to carry on the operations of the Government. If we can take up the bill and remove the difficulty in any way, if the Senators will see it their duty to help us along, and provide means to carry on the Government, there would be no difficulty about it. Let us take up the Dingley Bill as it is. I do not believe in many of its features. I do not believe in the principles on which it is founded; still I would vote for it, because it would do that first and primary duty, it would increase the revenues of the Government and enable the Government to go without going, every day and every hour, into debt more and more."

After some further debate Senator Sherman said:—

"I cannot speak, as a matter of course, for my associates here as a general thing, but I am inclined to think, and I believe that it is their opinion, that in view of the statements which have been made from the other side of the Chamber, that the Dingley Bill cannot pass, we ought not to waste any more time upon it. So far as I am concerned I am not disposed, and I think the great majority on this side, without having had any opportunity to consult each other, are not disposed to attempt the impossible in order to pass the Dingley Bill."

Senator Quay immediately took the floor, and said:—"The funeral services on the Dingley Bill having been concluded, I

move that the Senate proceed to the consideration of executive business." Thus the first Dingley Bill was pronounced dead, and the Government was left to the alternate of issuing a hundred million more bonds to pay its expenses, and maintain its credit. The course suggested by Senator Sherman was the only reasonable one. The first Dingley Bill was a temporary measure, its duration was limited to one year, and no one would have been chargeable with the sacrifice of any principle in supporting it. It was to meet an emergency, and it did not purport to embody any tariff principle or policy. The real fact is that a majority of the Democratic Senators were indifferent, to the embarrassment of President Cleveland, and the entire Democratic side of the Chamber, with the silver Republicans, or those who had been classed as such, were not disposed to permit the passage of any measure that might contribute to the success or relief of the incoming administration. The existing administration had accumulated a heavy load of woe, and the Democrats rather enjoyed seeing it shifted to the shoulders of the Republicans. For many Democrats it was a time of jubilation, they were retiring from responsibility for Cleveland's unpopular course, and they had escaped the dangers of power directed according to the principles of the Chicago Platform.

The Cabinet gossip took a more definite form about January 8th. The newspapers of that date announced that Senator Sherman had been invited to Canton by President-elect McKinley, and he was to be requested to accept the portfolio of State. This was denied. Then Senator Allison's name was freely discussed in connection with this position, but the Senator gave out that he had not been proffered the place, as the newspapers had announced. Again, on the fifteenth of January, it was published that Sherman had accepted. This rumor Mr. Sherman contradicted, but it was evident that the President-elect was getting ready to invite the Senator from Ohio into his Cabinet, if he had not already done so. On the seventeenth of January, Mr. Sherman went to Canton, upon the request of McKinley. He was then asked to accept

the chief place in the Cabinet, and accepted. It was very soon announced that he accepted, and this was confirmed. On the nineteenth of January the "Mail and Express," of New York, said in reference to the selection:—

"John Sherman will make an ideal Secretary of State. . . . The country will feel entirely safe as to our foreign policies with John Sherman as Premier."

This was the general feeling. When at Pittsburg, on his way back to Washington, after being at Canton, Mr. Sherman was interviewed by a newspaper reporter, and the interview published, and immediately he was charged with having changed his mind as to Cuba, and it was asserted that Cuba was to be abandoned to the merciless policy of Spain. The charge being brought to his attention, he said that he had been misquoted, and what he had said was, that if Cuba could secure autonomy, a Government of her people, the United States should not interfere in her affairs.

On January 22nd, Senator Morgan called up in the Senate, the bill to extend aid to the Maritime Canal Company. The purpose of the bill was to have the Government guarantee the bonds of the Company, issued to build the Nicaragua Canal. On January 15th, J. D. Rodriguez, accredited to the United States as the Minister of the Greater Republic of Central America, had indicted a note to Mr. Olney, Secretary of State, protesting against the bills proposing Government aid to the Canal Company, in the form in which they were then pending. He complained that the Government of Nicaragua was entitled to a certain per centum of the bonds, or shares, which might be issued upon the canal to the members of the Canal Company, and that the bills pending substantially extinguished the Canal Company, leaving only a "shadow of a personality." He proposed, that inasmuch as the Government of the United States was, to all intents and purposes, to succeed the Canal Company, that the two Governments should enter into an agreement or Convention, upon the basis of the Zavala-Fre-

linghuysen Treaty, with such modifications of the Treaty as might be found expedient and agreed upon. The point of this communication was to secure a responsible party to build the Canal, and the occasion of it was the inability of the Canal Company to proceed further with the work. It was in fact insolvent. This communication was transmitted by Secretary Olney to Senator Sherman, as Chairman of the Committee on Foreign Relations. When the Canal Bill was called up Senator Sherman asked that the letter be read by the Secretary of the Senate, and printed as a document. In the debate, which followed, Senator Morgan referred to the Senator from Ohio as the Premier in the Cabinet of the next administration, and that his statements in reference to the canal were *ex cathedra*. Mr. Sherman was charged with not being then as favorable to the canal as he had been, but he explained that he was still favorable to the speedy opening of a canal across Nicaragua, but that it was demonstrated that the Canal Company could not build it, and that the only sensible way to proceed was to have the United States Government do it directly. He said this course would necessitate consideration, and could hardly be disposed of during the few remaining days of the session. This was the only wise course. The Canal Company, as an adjunct to the Government, could serve no useful purpose. The success of the enterprise required the direct participation of the Government, with its responsibility and control. The situation required the formulation of a new plan, an undertaking which would take time, and careful consideration.

After it was definitely determined that Senator Sherman would be appointed Secretary of State, he avoided, as much as possible, participating in the debates in the Senate, upon questions involving the expression of opinion as to the attitude or relations of our Government toward other nations. On the twenty-sixth of February a resolution was pending, demanding the immediate release of Julio Sanguiby, a naturalized citizen of the United States, who was imprisoned by

the Spanish authorities in Cuba, and that suitable compensation be made him for his imprisonment and suffering. This resolution was reported from the Committee on Foreign Relations, by Senator Morgan. During the consideration of the resolution Senator White asserted that the Republican members of the Committee, and with special reference to Senator Sherman, had not endeavored to pass the resolution until the way was obstructed by appropriation bills, and he said in substance that the Democratic Senators should insist upon the resolution going over, and allow the questions growing out of the case to be settled by the new administration. Mr. Sherman replied, in some brief remarks, in which he said that the resolution should command the unanimous approval of the Senate, but that he would not endanger the passage of the appropriation bills in an attempt to pass it. In conclusion, he said:—"I am opposed to wrong, and violence, and tyranny wherever it is exercised, and when it is inflicted upon a citizen of the United States I will stand by him, if I am alone." These were the last formal words uttered by John Sherman in the Senate of the United States. They were fitting words to close a great legislative career, in a great legislative assembly, representing a people whose institutions and example had inspired the oppressed of the whole world with the hope of liberty, regulated by law. More than forty years before, Mr. Sherman's first words in Congress were uttered in protest against the territorial extension of the thrall which held the black race in slavery, and his last were uttered against a cruel and inhuman despotism inflicted upon another people, struggling for liberty and self-government.

As soon as Senator Sherman accepted the proffer of a place in the Cabinet, he gave notice to the Governor of Ohio that he would resign his senatorial seat at the beginning of the Fifty-fifth Congress. He desired to hold his seat until the beginning of the extra session of the Senate, so that he might extend the usual courtesies to Governor Foraker, whose Senatorial term would begin at noon on the fourth of March.

When it was once definitely determined that Senator Sherman would resign from the Senate, the appointment of his successor by Governor Bushnell became the absorbing question of Ohio politics. It is certain that no vacancy would have been occasioned had it not been to make an opportunity for Mr. Hanna to enter the Senate. Governor Bushnell, however, was not a partaker in the hope for Mr. Hanna's elevation to the Senatorial honor. For some time the Governor and Mr. Hanna had not been cordial in their political relations. The nomination of General Bushnell, at Zanesville, in 1875, had defeated Mr. Hanna's candidate, and humiliated him as well. The rival factions had worked together during the campaign of 1896, but it was only a truce. Under a thin veneer of peace smoldered the fires of one of the most intense inter-party contests that ever tore a party asunder. Governor Bushnell did not want to appoint Mr. Hanna. Two influences finally prevailed upon him to do it. The first was the very general demand for his appointment from the Republicans of the State, and the second, that there was no Republican in the State of commanding influence and station who would accept it. In weight of political position and prestige there was no one in the State who could compete with Mr. Hanna. He was at this time *facile princeps* among politicians.

Senator Sherman and Senator Elkins were appointed the Republican members of the Inaugural Committee. At the close of the last session of the Senate, of the Fifty-fourth Congress, Senator Elkins escorted the Vice-President-elect, Garret A. Hobart, into the Senate Chamber, and he took his seat at the right of Vice-President Stevenson. Mr. Stevenson arose, and announced that the hour had arrived which marked the close of the Fifty-fourth Congress, and he then administered the oath of office to Mr. Hobart, and adjourned the Senate without day.

On the twenty-fourth of February President Cleveland issued a proclamation calling the Senate to meet in extra session. After the Secretary had read the President's proclama-

tion the names of the Senators-elect were called, and, according to the usual custom, they were escorted to the Vice-President's stand, four at a time, and received the oath of office. Joseph B. Foraker, Ohio's new Senator, escorted by Senator Sherman, advanced and took the oath. When he resumed his seat, for the first time in twenty-eight years, Ohio was represented in the Senate by two Republican Senators. On the fourth of March, 1869, Allen G. Thurman took his seat in the Senate as a Democratic Senator from Ohio, as the colleague of John Sherman, and as the successor of Benjamin F. Wade. When Mr. Sherman entered the Cabinet of Hayes, in 1877, Stanley Matthews was appointed his successor. He served through the unexpired term of Senator Sherman, as the colleague of Senator Thurman, but at the next Senatorial election the Ohio legislature was Democratic, and George H. Pendleton was elected for the full term, beginning March 4th, 1879. From this time until March 4th, 1881, Ohio was represented in the Senate by two Democrats, but at this date Mr. Sherman returned to the Senate, succeeding Senator Thurman.

After the Senators-elect had taken the oath, and resumed their seats, the inaugural ceremonies proceeded. At this point President Cleveland and President-elect McKinley entered the Senate Chamber, accompanied by the Senatorial Committee, consisting of Senators Sherman, Mitchell and Elkins, and they were seated in front of the Secretary's desk. The Vice-President then announced that the Sergeant-at-Arms would now execute the order of the Senate, relative to the inaugural ceremonies. Those present then moved to the platform, on the east front of the Capitol, in the usual order of precedence. The Chief-Justice and the Associate Justices leading the way. Then the Ambassadors and Ministers, then the Committee on Arrangements accompanying the President and President-elect; after them the Senators and Members, Governors of States, and so on. After arriving at the platform the Chief-Justice, Mr. Fuller, administered the oath to the President-elect. He then delivered the inaugural address, in the presence of many thousands who

had gathered upon the platform and about it. The day was a perfect one. The sky was clear, and the air balmy. The politicians who had supreme faith and belief in what they called McKinley's luck, said it was a typical McKinley day. The address was finely phrased, and in it the President discussed frankly most of the questions and policies, which were the subject of political division and action. He announced his purpose to call an extra session of Congress, and gave the reasons which made such action advisable. In this connection he said: "I do not sympathize with the sentiment that Congress, in session, is dangerous to our general business interests." He thus delicately combatted Mr. Cleveland's belief that it was not safe for the President to leave the Capital while he had Congress on his hands.

At noon on March 5th, the Senate met. This was the second day of the extra session of the Senate. On the day before, John Sherman retired from the Senate, after having served thirty-one years, eleven months and fifteen days in that body, a longer service by two years, eight months and eighteen days than Thomas H. Benton, who, beside Mr. Sherman, had the greatest length of service. Immediately after the prayer, Senator Foraker arose and presented credentials showing that Marcus Alonzo Hanna had been appointed by the Governor of Ohio to fill the vacancy occasioned by the resignation of John Sherman, and he asked that Mr. Hanna be sworn. There being no objection, Mr. Hanna took the oath, and entered upon his Senatorial career as the successor of John Sherman. As it happened both the Ohio Senators could trace their Senatorial descent back to the seat of Senator Sherman. When Mr. Sherman reëntered the Senate, in 1881, it was as the successor of Thurman, who had succeeded to the seat held by Wade. His first Senatorial service began with the term to which Chase had been elected, and this line led to Foraker, who succeeded Brice.

Soon after the Senate met an executive communication was delivered to the Senate by one of the Secretaries of the

President. The Senate immediately went into executive session. When the doors were opened it was found that the Senate had confirmed the following appointments:—

JOHN SHERMAN, of Ohio, to be Secretary of State.

LYMAN J. GAGE, of Illinois, to be Secretary of the Treasury.

RUSSELL A. ALGER, of Michigan, to be Secretary of War.

JOSEPH MCKENNA, of California, to be Attorney-General.

JAMES A. GARY, of Maryland, to be Postmaster-General.

JOHN D. LONG, of Massachusetts, to be Secretary of the Navy.

CORNELIUS A. BLISS, of New York, to be Secretary of the Interior; and

JAMES WILSON, of Iowa, to be Secretary of Agriculture.

Mr. Sherman immediately after his confirmation entered upon his duties as Secretary of State. On the sixth day of March, President McKinley issued a proclamation convening Congress in extraordinary session at noon on the fifteenth day of March. On the first day of the extra session the President submitted a message to Congress, which set forth the necessity for the extra session, and which concluded as follows:—

“Before other business is transacted let us first provide sufficient revenue to faithfully administer the Government, without the contracting of further debt, or the continued disturbance of our finances.”

The Ways and Means Committee pursued an unusual course with respect to the tariff and revenue legislation. The Committee, or rather the Republican members of the Committee, began the preparation of a tariff bill during the last session of the Fifty-fourth Congress, to be introduced at the Fifty-fifth Congress. This work was begun by Republican members, under the leadership of Mr. Dingley, Chairman of the Committee, on December 27th. Hearings were given to those who presented themselves until about January 12th, at

which time the work of formulating a bill was commenced. It was ready for the introduction by the time the extraordinary session convened.

The extra session met at noon on March 15th. The House organized by the election of Thomas B. Reed, as Speaker. The Democratic members nominated Joseph W. Bailey, of Texas, and he received one hundred and fourteen votes as against two hundred for Mr. Reed. Immediately after the reading of the President's message, Mr. Dingley moved that it be referred to the Ways and Means Committee; he then introduced the Tariff Bill, and moved its reference to the same Committee, which was agreed to. On the nineteenth of March, Mr. Dingley reported the bill from the Committee, and asked that it be placed on the calendar of the Committee of the whole House on the state of the Union, which was agreed to. Mr. Dalzell, a member of the Committee on Rules, then offered a report which provided for the consideration of the Tariff Bill. This rule provided for three days general debate, beginning on Monday, March 22nd, with night sessions, and five days for discussion under the five-minute rule, and for amendments, and that on the thirty-first of March, at three o'clock, the bill should be reported to the House, and the previous question ordered. The rule was adopted. Debate was begun on the bill on Monday, March 22nd, by Mr. Dingley. He made an able speech, in which he set forth in clear and succinct language, the necessity for tariff legislation, and the provisions of the bill. The House debate did not add anything new to the sum of tariff knowledge, but it afforded opportunity for the exhibition of some oratorical gifts of a high order. On the second day Mr. Dolliver, of Iowa, made a most happy speech. It was a fine specimen of humor and eloquence. It also abounded in good-natured ridicule. The vote on the passage of the Dingley Bill was taken in the House on May 31st, and it passed by a vote of two hundred and five yeas to one hundred and twenty-two nays. The bill was amended in the Senate more extensively, in number of amendments, than had

been the Wilson Bill, but the character of the amendments was very different. The general principle of the Dingley Bill was not changed—the amendments were proposed to improve the protective features of the measure; the Senate amendments to the Wilson Bill changed the whole character and purpose of the measure, and left it in such anomalous condition as to neither produce revenue nor secure beneficial protection. The Dingley Bill passed the Senate July 7th. The House voted to non-concur in the Senate amendments, and a conference resulted. The Conference Committee submitted a report on the twenty-fourth of July, which was agreed to in both Houses, and on the same day the President approved the bill.

The Dingley Tariff law is perhaps the fairest and best protective law that Congress has enacted. It has imperfections, and will require amendment to conform it, or particular provisions of it, to changed and changing conditions, but as a whole it is consistent and just, and conforms as nearly as practicable to the theory or system of protection. The final test of a tariff law is trial and experience—the wisest statesman cannot foresee the effect of every duty—something, and many times a good deal, must be risked upon judgment. Tried by this test the Dingley law has met the expectations of its framers, and vastly benefited the country. It located and remedied the evil, which had so sorely afflicted the country during the four years before its enactment. One party confidently asserted that the financial and industrial troubles, beginning in 1892, were caused by disorders and defects in our money system, the other asserted that they were precipitated by the fear of radical reductions of tariff duties. However many causes may have contributed to these troubles, the Dingley law seemed to relieve them all, and from this, the conclusion was drawn, that the chief cause was the Wilson Tariff law.

On the third day of May, (1897), the President sent to the Senate the appointment of William R. Day, of Ohio, as

Assistant Secretary of State. Mr. Day, at this time, was a practicing lawyer of Canton, Ohio. He had never actively participated in politics, and had no experience in public affairs. He had held, for a brief time, a judicial office, and had declined a Federal judgeship. At the time of his appointment as Assistant Secretary of State he was a country lawyer, but a man of exceptional ability, of judicial temperament, and with the capacity to adapt himself to and perform creditably any kind of mental labor. Within the natural and proper limits of an assistant he was precisely the kind of man to supplement Secretary Sherman in the State Department. On the twenty-fourth of May, Congress, by joint resolution, appropriated fifty thousand dollars to be expended at the discretion of the President, to furnish food, clothing and medicine for the destitute and suffering Cubans, and to transport such of them as desired to the United States. On July 24th, at nine o'clock P. M., the extra session adjourned without day.

Aside from the questions with respect to Cuba the most important question engaging the attention of Secretary Sherman, during the summer of 1897, was that of the annexation of the Hawaii Islands to the United States. It will be remembered that before President Cleveland's second inauguration a treaty had been agreed upon between the United States and the Provisional Government of Hawaii, for its annexation, and that this treaty was withdrawn from the Senate by President Cleveland, as one of the first acts of his second administration. On September 10th, 1897, another treaty was agreed upon, and referred to the Senate by President McKinley. The Senate ratified the treaty, and Hawaii became a part of the territory of the United States. After the withdrawal of the first treaty, which had been entered into with the Provisional Government of Hawaii, a Republic had been erected for the Government of the Island. This second treaty was made with the Republic. The matter of a local government, the right of franchise, and the enactment or extension of laws, was left to the Congress of the United States.

The second, or regular session of the Fifty-fifth Congress convened on the sixth day of December, (1897). The interesting feature of the annual message of President McKinley was the discussion of the facts relative to Cuba. The President reflected the conservative sentiment of the country in these words of the message:—

“There is no desire on the part of the people to profit by the misfortunes of Spain. We have only the desire to see the Cubans prosperous and contented, enjoying that measure of self-control which is the inalienable right of man, protected in their right to reap the benefit of the exhaustless treasures of their country.”

He referred to the fruitless effort of President Cleveland, in tendering the good offices of the Government for the pacification of the Island. The Spanish Government replied that there was no way to pacify Cuba, unless it begins with the actual submission of the rebels to the mother country. He said that offers of the present administration had been received in a spirit which gave promise of a better understanding on the part of the Spanish Government, of the spirit and purpose of the American Government. He said that, notwithstanding Congress had expressed the opinion, by concurrent resolution, that the condition of public war in Cuba justified the recognition of a state of belligerency in Cuba, he did not think the time was ripe for such movement, and that, at this time, it would not contribute to a settlement of the conflict. He recommended that the new Spanish Government, under the premiership of Sagasta, should be given a fair opportunity to end the struggle—if it could not then the United States would take such action as would be right and just. The spirit of the message was hopeful. He said that the Spanish ministry had given assurances that home rule would be offered the Cubans without waiting for the war to end, and that more humane methods should thenceforth prevail in the conduct of hostilities.

It is well known that both the President and Secretary Sherman were extremely solicitous that the war in Cuba should be ended, without armed conflict between the United States and Spain. Their position was a most delicate and embarrassing one. They desired the independence of Cuba, but representing the Government of the United States in its intercourse with Spain, they were controlled by the rules of international law. The Jingoists were clamoring for the freedom of the Cuban people, war or no war, and it took all the conservatism of the President and his Secretary of State to keep the spirit in check, until such condition arose as would justify the intervention of our Government in the eyes of the world. A Congressional cabal was organized. Its purpose was to force the President to make some positive demand upon Spain, to intervene in some form, or to ask Congress to declare war. This cabal met in the Old Library room in the Capitol. It appointed a Committee of the Members of the House to wait on the President, and ascertain his intentions, and urge him to prompt and positive action. This Committee was admitted to a conference with the President, and the situation was carefully canvassed. The President succeeded in calming the somewhat excited feelings of the Committee, and by his tact and conservatism prevailed upon the gentlemen, who were urgent for some prompt and decisive action, to postpone the further consideration of the matter, in the manner in which they had taken it up, until the means adopted by the Executive had failed. He assured the Committee that every important step would be communicated to Congress.

Up to the time President McKinley requested Congress to make the formal declaration of war between the United States and Spain, the prevailing judgment of the country was that the President was too conservative—that he was paltering with an unbearable situation, for which there was but one remedy—and the remedy was war. The subsequent events proved the President's wisdom. Of course the Executive Depart-

ment could not give to the public every fact or hope which it possessed or entertained, that an appeal to war might be avoided. A great many jumped to the conclusion that nothing was being done, because the morning paper did not contain a recital of the President's doings. During all this time the President and State Department were putting forth every effort of diplomacy to end the war in Cuba, upon terms that would be just to the Cubans, and honorable to the United States. Secretary Sherman was in frequent consultation with the Spanish Minister, seeking some peaceable solution. He always believed he would have succeeded had the President been able to withstand a little longer the pressure of the war spirit. Sagasta, the Spanish Premier, was not responsible for the beginning of the war in Cuba. On the eighth day of August, Señor Canovas del Castillo, the Prime Minister of Spain, was assassinated by an Italian anarchist. A Government was formed under General Azcarroga, but it fell to pieces in September, and Señor Sagasta, as Premier, formed a Liberal Government. In November, by royal decree, local self-government was proffered to Cuba. All this demonstrates that the Spanish Government was anxious for peace, and would accept it upon any terms short of absolute humiliation. It could not relinquish voluntarily its sovereignty without serious humiliation. It was with a view to some such settlement as this that Secretary Sherman negotiated with the Spanish Minister, at Washington. A proud and independent nation could not, with self-respect, sell any part of its sovereignty for money, but it could extend to a dependency autonomy, or local self-government. At this time Spain was in no condition to dictate terms, but she could die fighting for what was left of her National honor. The yellow flag that had floated triumphantly in both hemispheres was drooping low, her credit was gone, her once imperial possessions had dwindled to a few islands, civilization had stamped her methods with odium, her army had lost its prestige, her navy was antiquated, her people were discontented and divided, some supported the existing

régime, some were for Don Carlos, and some for a Republic. Her Government was willing to accept a money indemnity, and withdraw from the Island of Cuba, if she was allowed to retain a nominal sovereignty. There are reasons to believe that Secretary Sherman would have arranged a settlement of the question, upon some such terms as these, if the war spirit had not defeated his purpose. It became so hot after the destruction of the battleship "Maine," that neither President nor Cabinet, nor anti-war sentiment could withstand its imperious demands. However, it is not to be inferred that this kind of a settlement would have been the best, in the light of subsequent events it would not have been, but then, confronted as the Government was with amicable settlement or war, it presented a different phase and front than now, when the war is over and Cuba free.

On the twenty-fourth of January, 1898, after a conference with the Spanish minister, the President directed the battleship "Maine" to proceed to Havana Harbor, on a friendly visit at that port. She arrived on January 25th, and was conducted by the Government pilot-boat to her place of anchorage. She remained there until 9:40 o'clock P. M., of the fifteenth of February, when she was sunk by a submarine mine, which had been placed under the bottom of the ship by persons whose identity has never been discovered. Two United States officers and two hundred and sixty-four seamen were lost with the vessel. A Court to inquire into the cause and incidents of the catastrophe was immediately appointed. The report showed that the first explosion was exterior to the ship, and from that two or more of her forward magazines were exploded, completely destroying the forward part of the vessel. The findings of the Court were communicated to the Spanish Government, and the President said:—"I do not permit myself to doubt that the sense of justice of the Spanish Nation will dictate a course of action suggested by honor, and the friendly relations of the two Governments." These words were in the President's message to Congress, of the date of March 28th. After the de-

struction of the "Maine," war with Spain was inevitable, but still the President made every effort to avoid it, and at the same time made preparations to meet war, if it must come. Congress appropriated \$50,000,000, and left its expenditure at the discretion of the President. The Spanish Government made prompt disclaimer of any responsibility for the destruction of the "Maine." It was a most irritating situation; a great ship had been destroyed, two hundred and sixty-six valuable lives extinguished, and the responsibility for the disaster could not be located. In the general mind Spain was held responsible, and the clamor for war increased in volume.

On April 13th, the House Committee on Foreign Affairs, reported the following joint resolution:—

"That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there, and establishing by the free action of the people thereof a stable and independent Government of their own, in the Island of Cuba. And the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution."

The resolution had a preamble which recited the conditions which were held to justify the action proposed.

Mr. Bailey, of Texas, objected to the present consideration of the resolution. This necessitated a few minutes delay, during which the minority of the Committee reported a resolution which, in terms, recognized the independence of the Cuban Government, and directed the President to immediately employ the land and naval forces of the United States "in aiding the Republic of Cuba to maintain the independence, hereby recognized."

The regular order was then demanded, and after some other business the Committee on Rules reported a resolution for the immediate consideration of the Cuban resolution. The previous question was ordered, and after debate the resolution passed by a vote of three hundred and twenty-five yeas to nineteen nays. The Senate substituted a series of resolu-

tions for the House resolution. These declared in substance that "the people of Cuba are, and of right ought to be, free and independent, and that the United States recognizes the Republic of Cuba as the true and lawful Government of the Island; that the United States demand the withdrawal of the Spanish army and navy from the Island and its waters, and that the President is directed to use the land and naval forces of the United States, and call into actual service the militia of the several States to such extent as may be necessary to carry the resolutions into effect." While the resolutions were under consideration in the Senate, Senator Teller proposed an amendment adding a fourth resolution. It read as follows:—

"Fourth, That the United States hereby disclaim any disposition or intention to exercise sovereignty, jurisdiction or control over said Island, except for the pacification thereof, and asserts its determination when that is accomplished, to leave the Government and control of the Island to its people."

The House non-concurred, and the disagreement went to a conference. The Conference Committee readily agreed to the Senate resolutions, with some verbal amendments, and the report was adopted on the twentieth of April. This, of course, was equivalent to a declaration of war, but the formal proclamation was postponed for a few days, but when war was declared on the twenty-fifth, the declaration was made to relate back to and to include the twenty-first day of April. On April 25th, the President sent a message to Congress, recommending the passage of a joint-resolution, declaring war against Spain. The resolution was passed on the same day, and approved by the President. On the same day, April 25th, Secretary Sherman, at a special meeting of the Cabinet, called to consider the proclamation of war about to be issued, handed a brief and formal letter to the President, resigning as Secretary of State, to take effect at close of business on that day. The resignation was accepted, and

William R. Day, the Assistant Secretary, appointed in his stead.

For some time before Mr. Sherman resigned, his position in the Cabinet was embarrassing and unpleasant in the extreme. Under favorable circumstances he might have discharged the duties of Secretary of State with a tact and ability which would have cast no reflection upon his reputation as a statesman, but such favorable circumstances were denied him. The President, having misgivings as to his ability to deal with the grave questions which were frequently arising out of the war in Cuba, undertook, with as much delicacy as the situation admitted of, to delegate to Judge Day the chief diplomatic duties, that by right and custom belonged to the head of the State Department. It would have saved Mr. Sherman the most intense humiliation if this contingency could have been anticipated, and he left to serve the country in the Senate to the end, in which position, whether his powers waned or not, he could have ended his career like the going down of the sun; its brilliant rays extinguished, but its mellow light shining on until night. Finally, Judge Day was brought into the Cabinet meetings, to impart information as to the status of affairs in the State Department, with respect to our relations with Spain. This unprecedented course of the President reduced the office of the Secretary of State to a mere title, and stripped it of all dignity and power. When it became apparent to Mr. Sherman that the circumstances were such that his retention of the office could serve no useful purpose, he promptly resigned and retired to private life. That he was chagrined and humiliated by the untoward ending of his administration goes without saying. He was consoled in the knowledge that he had undertaken the duties of Secretary of State at the urgent request of the head of his party, and against his personal inclination; that he had brought to the discharge of its duties faithful effort, and that, if he had fallen short of expectations, it was not his fault, either in having sought the place, or in his efforts to discharge its duties.

The war with Spain ended, and as a result the independence of Cuba was acknowledged by the Spanish Government.

After many years of struggle and suffering the Cuban people were free to establish such form of Republican government as they pleased. In the history of this Island is verified the poet's words that:—

“Freedom has risen
Oft from prison bars,
Oft from battle flashes,
Oft from heroes' lips,
Oftenest from their ashes.”

Truly from the ashes of her patriot dead had freedom come at last to Cuba.



CHAPTER LXVII.

MR. SHERMAN'S LENGTH OF PUBLIC SERVICE.—SHERMAN'S INTERVIEWS.—HE WAS THE VICTIM OF NEWSPAPER ENTERPRISE.—THE REPUBLICAN NEWSPAPERS' ATTITUDE AS TO SHERMAN INTERVIEWS.—PRESIDENT MCKINLEY'S FIRST POSITION AS TO ACQUIREMENT OF FOREIGN TERRITORY.—THE WAR DEPARTMENT AGAINST GENERAL MILES.—MR. SHERMAN DEFENDS MILES.—HIS MOTIVES.—MRS. SHERMAN'S ILLNESS.—MR. SHERMAN'S TRIP TO WEST INDIES FOR REST.—HIS SICKNESS AND REPORTED DEATH.—THE PRESIDENT ORDERS A GOVERNMENT VESSEL TO BRING HIM HOME.—HIS SLOW RECOVERY.—MORE INTERVIEWS.—HE IS ANNOUNCED AS CANDIDATE FOR GOVERNOR OF OHIO.—HE DECLINES.—HIS ATTITUDE TOWARD JUDGE NASH.—A SENATE INCIDENT.—MRS. SHERMAN'S DEATH AT MANSFIELD.—THE SENATOR LEAVES MANSFIELD FOR THE LAST TIME.

AS ALREADY related, on the twenty-fifth day of April, (1898), at four o'clock, Mr. Sherman left the State Department and public life. With the exception of a single day he had been in the public service forty-two years, four months and twenty-two days, a length of service exceeded by but one man, Justin S. Morrill, of Vermont. Mr. Morrill entered the House of the Thirty-fourth Congress with Mr. Sherman, and died a member of the Senate a year after Mr. Sherman's retirement. The portion of his life between his resignation as Secretary of State and his death, is the most difficult to portray, and do exact justice to all concerned. During this period there were printed in the newspapers scores of what purported to be interviews with John Sherman. At this time it is impossible to sift out from these numerous publications what he actually said, and what was the product of the reporter's imagination, or the result of his misunderstanding. He was the victim of newspaper enterprise, and newspaper politics. An interview with John Sher-

man, of the proper quality, was like the blast of the horn of Roderick Dhu, it was worth a hundred men, or votes. Mr. Sherman had always expressed his sentiments to newspaper representatives freely, and after he had retired from public life he saw no reason why he should change his habit. If the newspaper wanted his opinions, upon public questions, he was free to give them. He did not apparently observe that the newspapers seeking his opinion had an ulterior motive in view. Mr. Sherman was never an astute politician, and it did not occur to him that his opinions were given wide currency, because they were in the nature of criticisms, upon an important policy of his party. His opinions had always been sought, and it did not occur to him, probably, that they were not as interesting, as opinions, after he was out of office as when he was in office. No one had the temerity to suggest to him that he ought not to be interviewed, or that his opinions were being used to injure the Republican party, or that it was in bad taste to criticise a policy of an administration, of which he had been a part. He never uttered a word which he knew would be published personally disrespectful of the President, or of Senator Hanna. His words were courteous, and he believed his criticisms were just. Subsequent events led him to believe that he had not been asked to accept the State portfolio, because his acceptance of it would be an important contribution toward the success of the administration, and he said so.

That Mr. Sherman was firmly opposed to the acquiring of foreign territory by the United States, either by war or purchase, is certain, but his opinion had been formed long before a war with Spain was thought of, and it had no connection near or remote with his retirement from President McKinley's Cabinet. He spoke freely, and with point and vigor, as to the annexation of foreign territory—he was conscientiously opposed to imperialism—he was opposed to the Spanish war, because he deemed it unnecessary, but his attitude and opinions were not the result of pique, or disappointment or resentment. Senator Hoar believed as Mr.

Sherman did, and he enforced his belief with argument and criticism in the Senate, yet it was never charged that he was inspired by any ignoble feeling. Ex-Senator Edmunds was opposed to imperialism, as were many of the older statesmen of the country, but no discreditable motive was assigned for their position and belief. Mr. Sherman was placed in a false position. The newspapers, opposed to the imperial or war policy of the administration, sought interviews with him to embarrass his party; and to make political capital, the Republican and administration newspapers set about counteracting the influence of the interviews in the best way they could; some said Mr. Sherman was senile, and no longer responsible for his utterances and that no weight should be given them on that account; others said he was mad, disappointed, bitter and that his opinions were colored and distorted by his feelings, and therefore should have no weight. These expressions did Mr. Sherman a great injustice, or rather a great wrong. He was neither senile, nor was his judgment warped by his feelings. If he had remained in the Cabinet or Senate he would have been as firmly opposed to the policy of expansion as he was out of office. While a member of the Senate, in a declaration already quoted, he said he was opposed to the annexation of Cuba, and it is not probable that he would have favored the annexation of territory five or six thousand miles away. In his "Recollections" he said:—

"If my life is prolonged I will do all I can to add to the strength and prosperity of the United States, but nothing to extend its limits, or to add new dangers by acquisition of foreign territory."

That Mr. Sherman was conscientiously opposed to the annexation of further territory is beyond question—nothing then remains except a question of taste. His opinion, in this respect, accorded with that of the President up to the time the latter was compelled, by force of circumstances, to consent to and take territory acquired as the necessary result of war and

victory. The President, in his message of December 5th, 1897, said: "I speak not of forcible annexation, for that cannot be thought of. That by our own code of morality, would be criminal oppression." It is well known to those who talked with President McKinley, during the Cuban troubles and the war with Spain, that he was strongly opposed to the annexation of, or the control of territory, which might come into our possession as the result of war. One of the reasons why he endeavored to avert war with Spain, was the probability that the after-situation would be more difficult and dangerous than the war itself.

During the pendency of the treaty with Spain, in the Senate, Mr. Sherman, at the request of the Anti-Imperialist League, wrote a letter addressed to James P. Munroe, in which he set out fully his views as to the acquisition of the Philippine Islands. This letter is signed by Mr. Sherman, and expressed his sincere opinion. It is given in full, so that by comparison it may be seen that many of the loose statements appearing in the newspapers, and attributed to Mr. Sherman, were not his declarations, or that in them he was incorrectly reported. This letter is as follows:—

"I concur with you in opposition to the acquisition of the Philippines as a part of the United States. The harsh and cruel despotism of Spain, over the inhabitants of Cuba, fully justified the intervention of the United States to drive out Spanish soldiers from that Island. This has been my desire for thirty years or more. The natural opposition of the American people to being involved in controversies between Spain and Cuba prevented them from taking a part in the oft-repeated struggles of Cuba for independence, until now, when the general voice of our people demands the exclusion of Spanish soldiers from Cuba; but this demand is qualified with the declaration that the United States will not hold that island as a dependency, but will leave the people of it in full control of their own Government and territory.

Here the Spanish war ought to have ended. Cuba will be free, to make its own constitution and laws, and will have the hearty support of the United States. Other islands of the Caribbean Sea are wisely governed by foreign powers. The friendly influence and example of a great Nation like the United States will always be of value to these islands.

Our Government should make no entangling alliance with any of them, but it can easily obtain from them coaling stations and facilities for our commerce. This, I believe, was the desire of the President, but the eager greed of some of our people to extend our territory to remote parts of the earth has apparently led him to acquiesce in the seizure, by the United States, of the Philippine Islands, on the opposite side of the globe, in the tropical zone, near the equator.

These Islands are said to contain ten million of people, composed of Malays, Japanese, Chinese and of many nations and tribes. They are now at war with the Spaniards, and will be at war with us, if we undertake to govern them. It will be necessary to maintain an army and a fleet to hold them in subjection. What good can come from such an acquisition? We already feel the evil results of our threat to occupy and hold the islands. Our army is enormously increased, and it is still held, and must remain in force to await the order to take the Philippines. Our navy must transport our troops ten thousand miles away, thus making necessary the great enlargement of the navy. Our debt is already on the increase, at a time when we had a reasonable hope for its full payment.

The United States now embraces the better part of a great continent in a compact form, with a population of seventy million people, speaking the same language, increasing annually nearly three per cent., with ample territory for seventy million more. Since the abolition of slavery there is no cause for sectional controversy. The North and South are now as closely allied as the East and West. Our adjacent countries, Mexico and Canada, are prosperous and friendly. We are protected by the ocean from all serious danger of attack, and our vessels sail in safety over every ocean and sea. Our flag is the token of friendship wherever it is unfolded. Why, then, should we seek to acquire and govern the Philippine Islands? Will we allow them to be represented in Congress? Will we form them into States? The general voice will be against either proposition. We may sympathize with them in their desire to be free from Spain, but this is no reason why we should annex their distant territory to our Republic. Let them first assert their freedom, and maintain it, and the United States will extend to them the same friendly relations that it does to all the nations of the world. This was the policy of Washington, and it has been adhered to by all the Presidents that followed him.

There are special objections to the acquisition of the Philippine Islands by the United States. The great body of the inhabitants of these Islands do not speak our language, and are inferior in intelligence and education to any part of the people of Europe, or of the American continents. To annex them as States in the Union would be to degrade all the States. To hold them as conquered territories would be a de-

parture from the established policy of the United States. Nor is it certain if we pay Spain twenty million dollars of money for her disputed title to the Philippines, that we can get peaceable possession of that country. We already know that an organized force exists in some of the Islands, to resist the United States, as well as Spain, and the strange spectacle will be presented of our powerful Republic waging war against a far distant country seeking to be free.

But suppose no resistance is made to the acquisition of the Philippines, what disposition can be made of them by the United States? To attempt to divide them into States of the Union would be a mockery and a shame. To hold them as a dependent province eleven thousand miles away would involve a new army and navy, and a large increase of the public debt. The geography of the Islands alone should condemn their acquisition by the United States. They number fifteen hundred or more, and lie between the fifth and twentieth degrees of north latitude. But few of the Islands are inhabited. They were nominally subject to Spain, but each Island is independent of the others, and all of them have practically renounced their allegiance to Spain, and declared their purpose to be free. To them the United States is a foreign Nation, its people speaking a language different from their own, living in a latitude that begets sloth and feebleness, and that has never in the history of the world produced a strong, virile people or nation.

My hope is that the Senate of the United States will reject the treaty, and leave the people of the Philippine Islands free from the shackles of Spain, and the distant domination of the United States. I sympathize with Aguinaldo, in his ambition to found a Republic in the China Sea, near the equator, and hope he may become the Washington of a new nation, absolutely free from European and American influence.

JOHN SHERMAN.

This letter will serve another purpose. It will show that Mr. Sherman's mental faculties were not materially impaired. It is vigorous, to the point, and manifests an adequate and accurate understanding of the situation. He may have been wrong, in his belief, that it was unwise for the United States to acquire and exercise control and dominion over these islands in the Pacific; his hope that a Republic might be erected for their government may have been fallacious, but, if so, the one was only an erroneous opinion, and the other a noble aspiration.

In January, 1899, an interview with Mr. Sherman was published in the New York "Herald." In this he said:—

"The treaty will be ratified, and the Government will be sustained. But I say when the complications with Spain are finally settled the Government should leave the Islands to the people in possession of them, whose interests are there, and whose rights to the territory they hold are undisputed."

In the same interview he criticised sharply the War Department, with respect to the rations it had furnished the soldiers, and its medical and hospital arrangements. It will be remembered that, at this time, an issue was clearly made upon the question as to whether the responsibility for conditions which were concededly bad, should rest with General Alger, Secretary of War, or with General Miles, the Commander of the Army. General Miles had drawn upon himself severe criticism for declarations which seemed to reflect upon the War Department. He attempted to justify himself, and this involved the making and substantiation of charges which located the responsibility in the War Department. Mr. Sherman naturally took sides with General Miles. The General had married the daughter of Charles T. Sherman. The friends of Secretary Alger attributed Mr. Sherman's criticisms to spite against the Secretary. They revived the old charge that Mr. Sherman's colored delegates in the Convention of 1888, had been purchased by the friends of General Alger. This, however, had not the slightest influence with Mr. Sherman. General Alger and he had arrived at an understanding before they entered President McKinley's Cabinet; Mr. Sherman may not have been entirely satisfied as to the fact, but he was satisfied that General Alger was guiltless of any participation in or knowledge of the wrong, and if their relations were not cordial, there was no feeling. In this again a great injustice was done Mr. Sherman. It was asserted that he was soured and disappointed, simply to militate against the weight of his opinion or declaration. It would have been wiser, no doubt, had he upon his retirement

from office, abstained from any criticism upon the conduct of the Government, or administration. But he was a private citizen, and had an undoubted right to express his opinion upon public questions. As a matter of taste it would have looked better to have remained silent, but so long as his opinions were sincere, and he expressed them respectfully, and from pure motives, he could not be justly censured.

During the excitement attending the disclosures, with respect to the character of the canned beef furnished the soldiers in Cuba and elsewhere, the newspapers were full of sensational reports about the matter. Mr. Sherman was reported as being engaged as senior counsel for General Miles, and in that capacity would defend Miles, and bring dismay or something worse to the officials of the War Department. All this was without any foundation whatever. While these reports were being published far and wide in the papers, Mr. Sherman was living quietly at his home in Washington, attending to his own business. At the same time it was published that he was the appointed "Commissioner to Spain," a place that had no existence in the diplomatic machinery, and from this myth the inference was drawn that the administration was thus trying to avoid prosecution and arraignment at his hands. There was not the slightest foundation of fact in this. Mr. Sherman said there was nothing in the reports, that he had not been tendered a diplomatic position, and that he had not been retained by General Miles, and would not be, and that he had not even seen the General for several weeks. Upon this latter point Mr. Sherman said:—

"General Miles is, I believe, entirely able to take care of himself in the present trouble, and there is certainly nothing to indicate yet that he is in need of a legal defender. If a court of inquiry should be ordered, it would not be for the personal investigation of General Miles, but to clear up the charges made by him, and he would not be called upon to defend himself."

While Mr. Sherman was being made a central figure in a controversy for which he had no responsibility, and with-

out his volition he met an affliction by the side of which the other troubles of his life became insignificant. On Thursday, October 13th, 1898, in their Washington residence, Mrs. Sherman was stricken with paralysis. The stroke deprived her of the power of speech, and she was not able by the reason of the paralysis to communicate in writing. From the first the physicians gave no hope of ultimate recovery. There was not so much danger of immediate death as of a prolonged condition, which might be worse than death.

On August 30th, 1848, they had been married. For more than fifty years, from youth to old age, they had journeyed up the single pathway of their lives. They had traveled far, and they had come the long journey together. They had come from a little house, in a country town, to live in a mansion upon a beautiful street of the Capital of the Nation. From a modest lawyer he had come to great fame, and to an exalted station in the world, and she, from the daughter of a county judge, and the modest wife of a country barrister, had come to the position of one of the great ladies of the land. They had truly shared each other's joys and triumphs, and borne each other's burdens and disappointments. The duties and opportunities of Capital society had never separated Mrs. Sherman from her duties as wife, and keeper of her husband's house, and its meretricious splendor and temptations had never detracted from Mr. Sherman's love of home, nor raised a spectre by their fireside.

Four days after Mrs. Sherman was stricken, Mr. Sherman wrote the following letter to Hon. Henry C. Hedges, at Mansfield. This letter expresses, in his own words, his sorrow, and how her misfortune had shattered plans for the future:—

October 17th, 1898.

HON. HENRY C. HEDGES, MANSFIELD, OHIO.

Dear Sir: I am here in a state of apprehension, anxious, but unable to relieve my wife. We had spent the summer and fall in traveling through our own country, and recently had a pleasant journey to

the Virginia Hot Springs, in the midst of the Allegheny Mountains. Upon our return here we were discussing a trip to the Mediterranean Sea, and the interesting countries south of it. Everything seemed in our favor when, on Thursday morning last, we were shocked by the paralysis of Mrs. Sherman. She entered, as usual, into her bathroom, but her stay seemed prolonged, and the servants opened the door and found her sitting in her bath, completely paralyzed on the right side of her head and body, unable to speak or recognize anyone. We carried her to her bed, and there she lies helpless, speechless, but apparently without pain. She has the best medical attendance, but the doctors seem unable to relieve her, and say she may recover, but are not hopeful or sanguine. They think she may recover in a measure, but if so will be a cripple for life. I need not say how deeply I feel this misfortune. She is seventy years old, and I hoped she would live long enough to bury me, as I am seventy-five years old. It is fifty years since we were married, and I am sure that neither of us regrets the tie that binds us.

She was deeply attached to her home at Mansfield, and both of us had hoped and expected to occupy it on and after April first, next. If she should live until then we certainly will go to it, and resume our old relations with our old friends and neighbors, in Richland County.

Very truly yours,

JOHN SHERMAN.

Mrs. Sherman improved slowly, and in the course of a few weeks was able to move unaided about the house, and to some extent she took the place in the household formerly occupied by her, but she never regained the powers of speech, nor the ability to write, so that whatever intelligence she was able to communicate was by signs and motions. The first three or four months, after his wife's affliction, made a heavy draft upon Mr. Sherman's health and strength. Early in the Spring a trip for his health was recommended to him. He was loath to leave his wife for any time, but it was evident that his health was breaking under the strain of anxiety and care, incident to her sickness, and that a short absence would not injure her, and would be of great benefit to him. He arranged to take a trip, in company with Frank B. Wiborg, one of his nephews, and Mr. and Mrs. Colgate Hoyt, to the West Indies. The voyage was begun on the steamer "Paris" March 4th, 1899, and the intention was to cruise leisurely

through the waters of the West Indies Islands, and stopping at such places for rest and recreation as would suit the wishes of the party. While at San Juan, Porto Rico, Mr. Sherman went ashore, and was entertained by Brigadier-General Frederick Grant, Commander of the Military Department of San Juan. This was about the twelfth of March. Mr. Sherman caught cold, and after his return to the steamer he was indisposed for two or three days, but nothing of a serious character was anticipated. But on the fourteenth pneumonia, in a most serious form, developed. While on the "Paris" Mr. Sherman received the best medical attention. Dr. Graf, of the steamer's medical staff, and Dr. Magee, of Duluth, who was one of the passengers, attended him. On the fifteenth the steamer put in at Fort de France, Martinique. At this time Mr. Sherman's condition was somewhat improved, but almost immediately took a turn for the worse, and it became desperate on account of his age and weakened condition. A report was sent out that Mr. Sherman was dead, and many papers published obituaries. Upon his return, and after his recovery, he had the unique experience of reading notices of his own demise. Mr. Hoyt cabled the President, asking that Mr. Sherman be brought to the United States in a Government vessel. The "Paris" was booked for an itinerary with a party of excursionists, and it was impossible for Mr. Sherman to continue on the vessel, and it was not desirable that the voyage be abandoned, and it was therefore thought that he might be transferred to some Government vessel in the neighborhood of the "Paris," and brought immediately to the United States. The President directed the Secretary of the Navy to make such arrangements as were requested. The cruiser "Chicago" was about due at Havana, so it was directed by cable to proceed to Kingston, Jamaica, and there meet the "Paris," receive Mr. Sherman, and bring him to some convenient port in the United States. The transfer was made, and he was brought to Fort Monroe. Mrs. Sherman was left in ignorance of her husband's condition, owing to her health. She was

not even apprised of his supposed death, because the reports were not verified, and she was saved the agony by the discretion of her friends. Mr. Sherman slowly recovered from the attack, but his health was never fully restored.

As soon as Mr. Sherman's health was sufficiently restored to enable him to go about, and talk with persons calling upon him, the newspapers began publishing interviews with him. No doubt he talked freely with newspaper men, but much of the matter printed was either not given for publication, or the meaning was misunderstood. It was published that Mr. Sherman was going to Ohio to begin a campaign against President McKinley, and Senator Hanna; that he and Senator Foraker and General Bushnell were forming a political alliance to control politics in Ohio, and that as a part of this scheme Mr. Sherman was to be a candidate for Governor. The whole story was a fabrication. He said that he was going back to Ohio, and that he did not expect to cease his interest in politics, and from this the rest was inferred. Several Republican papers of the State advocated Mr. Sherman's nomination for Governor as the best thing that could be done for the party, and as a solution of the contest between Judge Nash and H. M. Daugherty, two of the State leaders. But Mr. Sherman never countenanced the suggestion. To one of his nephews, H. R. Probasco, of Cincinnati, he wrote:—

. . . "You are entirely right in supposing that I have not thought of being nominated, or elected Governor of Ohio. I do not want to first, and could not accept it in my present condition of health and strength. No man of the age of seventy-six ought to undertake the performance of the many details of an executive office. I would not accept it if nominated."

This should set at rest all talk that Mr. Sherman was at this time seeking office. It was just as thoroughly disproved that he was meditating revenge, and that he designed to re-enter politics with any such ignoble object, as was assigned in the publications referred to.

Early in June he returned to Mansfield with Mrs. Sherman, and they took up their residence in the old homestead, where so many vacations had been spent. Mrs. Sherman was able to be about the house, and occasionally rode out with Mr. Sherman, but her affliction prevented any association with her old friends and neighbors. There was apparently no impairment of her mental faculties, but her inability to speak rendered any attempt to communicate with her by persons outside of the family circle embarrassing. Within a few days after his arrival home, and in a response to a general desire to extend Mr. Sherman cordial welcome home, invitations were extended to a large number of his gentlemen friends at Mansfield, and on the evening set his spacious residence was filled with his old neighbors and friends, all intent upon making his return agreeable, and his welcome back cordial. He was somewhat weak, and had to retire before all of the guests had departed, but in the early part of the evening he greeted all and talked with many upon the current topics, and seemed as clear and bright, mentally, as he had ever been. But he had not yet been able to throw off the effects of the illness which had so nearly taken his life, but as the summer advanced he grew stronger, and by the autumn had apparently regained his health. During the fall campaign in Ohio the newspapers kept publishing statements, either purporting to be interviews with Mr. Sherman, or declarations that he had made after his retirement from the Cabinet, all of which were detrimental to the Republican party, and in condemnation of its principal policies. The Cincinnati "Enquirer" was particularly prolific in statements that Mr. Sherman was not in accord with his party, and would not support Judge Nash, the Republican candidate for Governor. His intimate friends knew how baseless were these statements, and they resorted to the best means of refuting them, viz.: by Mr. Sherman's own evidence. On August 15th, (1899), the following letter was written him, and it, with his reply thereto, will show how absolutely false were the declarations and insinuations that he was disgruntled, and out of line with his party:—

MANSFIELD, OHIO, Aug. 15th, 1899.

HON. JOHN SHERMAN:—

My Dear Sir: I have noticed with some surprise paragraphs in certain newspapers in Ohio, especially the Cincinnati "Enquirer," circulated with the evident purpose of creating the impression that you are not in accord with the Republican nominations this fall. The object of these statements is doubtless to convey the idea to the people that there are dissensions in our party, in which you sympathize. To your neighbors, who know you so well, this seems to be utter nonsense, and it may be that the matter has not been called to your attention, but the constant reiteration of the statements may perhaps mislead some people, not so well informed. It is for this reason that I venture to write, and if you feel at liberty to do so, would like very much to have your views upon the subject.

Yours truly,

W. S. KERR.

MANSFIELD, OHIO, Aug. 15th, 1899.

HON. W. S. KERR,

My Dear Sir:—I have received your letter, of this day's date, in regard to certain newspaper statements which you think might tend to create the impression that I am not in accord with the nomination of our party this fall, and inviting a statement from me as to the matter.

I have noticed the articles to which you refer, and have not thought it worth while to pay any attention to them, but as you say they may mislead some people, I will frankly reply.

In the first place, I cannot imagine how such statements can have originated, as it must be apparent to all that they are entirely without foundation. They are doubtless the work of some newspaper writer, with a very brilliant imagination. My position, as a Republican, is well-known, and to say that I could ever be anything else is, as you say, "utter nonsense." Besides, if I had been permitted to make the nominations for our party this fall myself, I could not possibly have improved on those made in the Convention. Judge Nash has always been, and is now, an intimate and warm personal friend. He is in every way equipped for and worthy of the high office of Governor of the State. He is an eminent lawyer, conservative in his temperament, a man of the highest personal character, and will fill the position with credit to himself and the State. His past record and well-known personality furnish sufficient assurance that he will discharge his duties with fairness and impartiality, to all alike. There can be no reason why any one, who has ever called himself a Republican, should not heartily

support him, nor do I think that any will fail to do so. The only possible danger to his election, that I can see now, is that some Republicans may, perhaps, become over-confident, and, thinking success assured any way, may not put forth their full efforts. I trust that this may not be the case, but I think it essential that every endeavor be made to bring out the full Republican vote. If this is done, what little doubt there may be of the result will be swept away.

I regret that I will not myself be able to take any active part in the canvass, for, while my health is fairly good, and is steadily improving, I am admonished by my Doctor that I should remain quietly at home, for the present. But I do not wish there should be any doubt as to my desire for the success of the Republican party, and especially of my admiration for Judge Nash.

Very truly yours,

JOHN SHERMAN.

The Senator and Mrs. Sherman remained at Mansfield until the fall, and then returned to Washington for the winter. This last winter of their lives was spent quietly in their residence on K Street. Mr. Sherman would occasionally go to the Capitol for an hour or so. He would go to the Senate, and chat with his old Senatorial friends in the cloak-room, or sit in the Chamber listening to the proceedings. On one occasion, after having spent some time in the cloak-room, he came out and walked down the aisle, upon one side of which his old seat was located. When he reached the seat he found it occupied by Senator Lodge, who had secured it upon Mr. Sherman's retirement from the Senate. He stood a moment, as if waiting for the seat to be vacated, that he might take it. He was evidently thinking that he was still a Member of the body, and that some one had taken his seat during his temporary absence. Senator Lodge immediately arose, and tendered him the seat, but by this time his memory had reasserted itself, and he left the Chamber, never to enter it again.

On the twenty-fifth of May, (1900), Mr. and Mrs. Sherman returned to Mansfield for the summer. On the night of June 4th, or rather morning of June 5th, Mrs. Sherman died, from the effects of a stroke of paralysis received on the Sun-

day previous. There was universal grief at their home. While Mrs. Sherman had lived most of her married life at Washington, yet she had retained and made a large circle of intimate friends at Mansfield. Her plain and simple manners, retained amid the social environment of the National Capital, had endeared her to the folk of her native town. Her father had been the County Judge, and the chief man of the village, but she had assumed no airs on that account; her husband had reached one of the first places in the Nation, and yet she was as friendly and cordial as she had been as a daughter of the County Judge. She was a good woman, and they revered her as such. She was buried in the Sherman lot, in the Mansfield Cemetery. The following summary of her virtues, taken from the Washington "Post," truly sets forth her great worth:—

"She was essentially a home woman, with the simplest tastes, and much more devoted to affairs about her own hearthstone than to any phase of public life. The simplicity with which her early married life was surrounded was continued as far as possible in later years. She disliked exaggeration in any form, especially where it related to the every-day details of her home. In intercourse, she was unaffected, amiable and painstaking in her efforts to help others, and these traits of character were just as conspicuous in her social career, which covered many years in this city. Those who knew her in her modest home, the first residence of Mr. Sherman here, found the same gentle charms of manner when she received them in the splendid white mansion in K Street. No entertainments ever given at official homes were more complete and elegant in every way than those presided over by Mrs. Sherman. Her wide acquaintance, among the oldest Washington families, always made the assemblages under the Sherman roof gatherings of unusual pleasure, from a local standpoint."

For a few weeks after the death of Mrs. Sherman the Senator seemed to bear his loss with fortitude, and to maintain his strength and spirits, but it was soon apparent that, physically and mentally, he was sinking under the separation from her who had been his companion and strength for half a century. For some years he had been troubled, at times, with throat, or bronchial trouble, and this became aggra-

vated, and caused him much annoyance, and loss of strength. But the chief trouble, aside from the effects of age, was the fact that Mr. Sherman was living in a vacuum, he was bereft of all that he had about him in the years of his strength, and success — his work was ended, the stage was occupied by others, the accumulation of money no longer interested him, and last, the wife, who had been with him through all, and for whom, as for himself, he had striven for honor and position, was dead.



CHAPTER LXVIII.

SENATOR SHERMAN'S WILL.—THE PROVISIONS AS TO RELATIVES AND CHARITIES.—HIS FORTUNE.—HOW ACCUMULATED.—HIS LAST DAYS.—HIS DEATH.—FUNERAL SERVICES AT WASHINGTON.—AT MANSFIELD.—THE PRESIDENT ATTENDS.—OTHER DISTINGUISHED MEN PRESENT.—HIS FRIENDS AND NEIGHBORS PRESENT.—THE BURIAL PLACE.—HIS PLACE IN HISTORY.

WHEN Mr. Sherman returned to Washington for the last time, in the early autumn of 1900, his earthly affairs had all been arranged. Ten years before, on the twenty-second day of December, 1890, he had made his will, in his own handwriting, which disposed of all his estate and property. This disposition was never changed, except that he deeded to Mrs. McCallum the new residence fronting on Franklin Square. By the will this piece of property was disposed of as a part of the general estate, but toward the end he expressed a desire that she have it directly, and by deed, and it was so arranged. A year before his death he made a *codicile* to his will, by which he named new executors, and this was done because Henry S. Sherman, one of the persons originally named as executor, had died, and Mrs. Sherman, the other person named, had become incapable of discharging the duties of the trust.

It is one of the proverbs of the law that a man in sound mind can make by will whatever disposition of his property he pleases.

There was some criticism upon the disposition that Mr. Sherman made of his estate. Some thought he ought to have given more to charity, or to public uses, and others thought he had not made a just division between the members of his

family or kin. Both of these were questions to be settled upon his own knowledge and judgment. His purpose was apparent, upon the face of his will, to perpetuate a considerable share of his fortune in a male representative of each of his brothers. In carrying out this purpose, after giving a considerable amount in specific bequests, he gave the residue of his estate to five nephews, each the son of a brother, and to Mary S. McCallum, the adopted daughter, in equal portions. Whatever other reasons he may have had it was evidently his desire not to dissipate his estate in small legacies, or divisions, among the large number of persons who were connected with him by the ties of blood. He gave every one, who was related to him in the first or second degree, and who was at all worthy, something, and some of them quite handsome legacies. He bequeathed to Oberlin College, one of the leading educational institutions of Ohio, five thousand dollars, to Kenyon College, where he had hoped to get a college education, five thousand dollars, and to the West Park at Mansfield, five thousand dollars, to be used at the discretion of the Park trustees. In his lifetime he had dedicated to make this Park a valuable tract of land. This bequest was used to erect the beautiful stonework, which now adorns the various entrances to the Park.

It had been charged a few times during Mr. Sherman's life, mostly however, in the heat of a political campaign controversy, that he had accumulated a fortune through opportunities afforded in his public service. All such charges and insinuations were baseless, as the history of Mr. Sherman's accumulation of property would show, if it were necessary to set it forth in order to refute the charge. A few details will show the fact. Mr. Sherman was rated a millionaire years before he had any considerable fraction of a million. When he left the office of the Secretary of the Treasury, in 1881, after he had served the country for a quarter of a century, his fortune was a small one, and much the larger part of what he possessed at his death was accumulated after that, and from a single investment which was open to the eyes of

every one. While he was Secretary of the Treasury, in the administration of President Hayes, Mr. Sherman, in connection with three other gentlemen, purchased a farm or tract of land on what is now known as Columbia Heights, in the City of Washington. The tract was then a body of land devoted to agriculture, and its future value for subdivision into lots was problematical. These purchasers simply bought upon their judgment that the Capital would probably grow in that direction. The city did grow to the north and northwest, and, after some years of waiting, the tract became very valuable. To this one investment can be traced the major part of Mr. Sherman's fortune. The stocks and bonds which he possessed, at his death, were purchased within the last few years of his life, and some of them after he was out of office, and nearly all from the proceeds of the land on Columbia Heights. At least a half a million of his estate was represented by holdings of this land on Columbia Heights, and nearly a million of real and personal property was the result of sales and reimbursements of the proceeds of this investment. If the value and proceeds of this one investment had been deducted from his estate, there would have been left a very modest fortune for a man whose financial ability was as exalted as that displayed by Mr. Sherman in public affairs. A careful examination of his papers, books and correspondence fails to disclose the slightest evidence that he ever bought or sold stocks upon speculation, or dealt in any property or commodity whose values would depend upon legislation. On the contrary his business records show that when he bought stocks or bonds, and these purchases were very small, until the last few years of his life, he bought them for investment and not for speculation, and that he kept them until his death. These records show that he was inclined to the purchase of lands, not to speculate on in the usual way, but to hold as a safe form of investment, and for such profit as the increase of value might afford. Whatever profits he or his estate realized from the purchase of stocks came from the holding of them through a long period, and until the slow growth of

the business and increased values of the property of the companies, in which he held them, had increased the values of the shares.

Senator Sherman's last return to Washington, from his Mansfield home, was painful and pathetic. For many years he and his wife had gone to Ohio in the early summer, when his public duties would permit, and after a few weeks or months spent in rest and association with their old friends, they had returned to Washington after the fall election, he to take up the duties of public life, and she to keep his house, and discharge the social duties, incident to their position, in the society of the Capital. They had done this from early married life to old age. But this time he came back alone, a stooped, whitened counterfeit of the erect and impressive figure so well known upon the streets, and in the public places of the Capital. He had borne disappointment and injustice, without material change in his appearance and strength; he had maintained an interest in the affairs of life in his old age, but when his wife died the prop and stay of his life seemed gone. Upon his arrival they led him by the door of the little house, where he and Mrs. Sherman had lived so many years, and where the great triumphs of his career had been enjoyed, and where they had received and entertained the great men of the Nation, into the door of the great white mansion beside it, there to linger through the few remaining days of his life. He was about the house some during these last days, but it was evident to those who saw him that the end was swiftly approaching. In a short time after his return he was confined to bed. He was attended by Dr. W. W. Johnson, but in spite of the skillful medical treatment, and the tender attention of his relatives, each day and night plainly brought him nearer the end. Toward the end he had short periods of consciousness, when he would recognize the friends about him, but in the main he lay in a comatose condition. Almost the last person he recognized was his faithful secretary, Babcock. Near the last he awakened from a stupor, and seeing Babcock at his bedside, said, in

a cheery voice as though he had been awakened in the morning, "Why Babcock." At four o'clock of the morning he died, Mr. Sherman awoke for a moment, and seeing his daughter at his bedside, held out his arms and said, "Oh, Mamie." Mrs. McCallum had notified most of the near relatives of the Senator's condition, and many of them were in the house or near by in the city, awaiting the final summons. General Miles and wife were in attendance most of the time during the last few days. The Hoyts, of New York, and some of the Sherman nephews were at the house. On the twenty-first of October, the day before his death, the attending physician gave the family notice that probably only a few hours of his life remained, and that he looked for death in the early evening. His hold upon life was more tenacious than the physician had thought. There was, however, no struggle. Wholly unconscious, he yet seemed like one who was tired after the labors of a long life, and had gone to sleep, and thus at 6:45 in the morning of Tuesday, October 22nd, 1900, he passed the bounds of mortality.

That evening, and the next morning, newspapers in every part of the civilized world announced the death of John Sherman. The death of no man, dying out of office and quietly in his bed at home, has been as widely noticed as that of Mr. Sherman.

His death was published in almost every printed language of the globe. The leading newspapers of England, Germany and France contained extended notices of his death, and comments upon, and estimates of his life and public service. The newspapers of his own country printed extended obituary notices, and résumé of his life and career. The consensus of opinion was that John Sherman was a statesman of the first order, and that his public and private life had been pure and upright. In this symphony of praise a few newspapers struck discordant notes, but their voices were unheard, and unheeded in the generous and general praise bestowed upon the dead statesman. Public men, many of them his asso-

ciates in public life, gave favorable comments upon his life work.

President McKinley directed the flags upon the public buildings of the Capital to be placed at half-mast, and issued the following Proclamation:—

“TO THE PEOPLE OF THE UNITED STATES:—

“In the fulness of years and honor, JOHN SHERMAN, lately Secretary of the State, has passed away.

“Few among our citizens have risen to a greater or more deserved eminence in the National councils than he. The story of his public life and services is as it were the history of the country for half a century. In the Congress of the United States he ranked among the foremost in the House, and later in the Senate. He was twice a member of the Executive Cabinet, first as Secretary of the Treasury, and afterwards as Secretary of State. Whether in debate, during the dark hours of our Civil War, or as the director of the country's finances during the period of rehabilitation, as a trusted councillor in framing the Nation's laws for over forty years, or as the exponent of its foreign policy, his course was ever marked by devotion to the best interests of his beloved land, and by able and conscientious effort to uphold its dignity and honor. His countrymen will long revere his memory and see in him a type of the patriotism, the uprightness and the zeal that go to the moulding and strengthening of a nation.

“In fitting expression of the sense of bereavement that afflicts the Republic, I direct that on the day of the funeral the Executive Officers of the United States display the National flag at half-mast, and that the representatives of the United States in foreign countries shall pay in like manner appropriate tribute to the illustrious dead for a period of ten days.

“Done at the City of Washington, this twenty-second day of October, in the year of our Lord one thousand and nine hundred, and of the Independence of the United States of America the one hundred and twenty-fifth.

WILLIAM McKINLEY.”

By the President:

JOHN HAY, Secretary of State.

In response to this direction of the President, on the day of the funeral, the stars and stripes floated at half-mast in almost every Capital of the world, as a tribute to the memory

of the deceased. A bouquet of beautiful flowers were sent from the White House Conservatory to the Sherman residence.

Senator George F. Hoar, who had served with Mr. Sherman for many years in the Senate, immediately after his death, gave the following estimate of his life and public service:—

“With the death of John Sherman, one of the very few great surviving figures of the time before the Civil War, of the Civil War, and the great period of reconstruction disappears from view. These two illustrious brothers, one in the front of the civil conflict, the other the great military leader, will go down inseparable to the memory of remote generations.

“During the longest political life in the history of this country, unless Justin Morrill’s be an exception, he contributed great service, as a leader, in a great variety of questions of vital interest to the Republic, but his special service was as a financier. While he bowed a little to the storm, when the fiat money delusion prevailed in Ohio, he quickly recovered himself, and for thirty years was the leading champion of the gold standard, which he contributed more than any other ten men to establish.”

The following is taken from an article in “The Boston Currier,” and is a fair sample of the friendly newspaper comments:—

“While he was pre-eminent as a politician and a legislator, he was a far greater man as a financier, and it is more in that character that his name will have an undying lustre. His services in that respect have never been fully estimated by the great mass of the people. But they will be more amply and gratefully recognized in the future. Like Alexander Hamilton, he will have the reward of praise and gratitude from generations succeeding the one in which he flourished, and accomplished his grand work. Like Hamilton he rescued the finances of the country from impending danger, and established them on a firm foundation in a great crisis in our history. Like him, he maintained with stalwart firmness the principle that the honor of the country demanded sound money, that should pass current in the markets of the world, and the payment of our just obligations in such money. He again placed the credit of the Nation on the high plane from which, amid all the vicissitudes of politics and the schemes of legislators, it has not since been moved.

"The termination of his services in the Senate, his appointment as Secretary of State, and compulsory resignation of that office, are a most pathetic incident at the close of his life. But it is no reflection upon his personal or official character, nor does it dim the lustre of his long and honorable services to the Republic. Resentment and partisanship are hushed at the tomb of one who deserved well of his country."

On Wednesday, October 24th, funeral services were held in the Sherman residence, on K Street, preparatory to carrying the body back to Ohio, where it was finally to be buried. These services were conducted by the Rev. Alexander Mackay Smith, rector of the St. John's Episcopal Church, of Washington. The funeral service was that of the Episcopal Church, and it was read by the rector in the presence of a notable gathering. Secretary of State John Hay was there representing the President, who was at Canton. The Cabinet was represented by Secretaries Hay and Gage. Chief-Justice Fuller and the associate justices were present, representing the Federal Judiciary; General Miles represented the Army, and Admiral Dewey, the Navy; many foreign Embassadors and Ministers were present, and among them Wu Ting Fang, the Chinese Minister, the Ministers of Japan and Korea, and the Duke de Arcas, the Spanish Minister. Senator Hawley was there, and ex-Senator Cameron and wife, and ex-Senator John B. Henderson and wife. Mrs. Foraker was present, representing the Senator, who was in Ohio, and Mrs. U. S. Grant was there. There were many other distinguished people in attendance, among the more notable might be mentioned the Hon. John W. Foster, ex-Secretary of State and diplomat, J. Bancroft Davis, John A. Kasson, Justice Hayner, of the District Courts, and Col. M. M. Parker. A quartet from St. John's choir furnished the music, and it was most impressive. After the reading of the service, the quartet sang soft and low, "Peace, Perfect Peace," and at the conclusion of it chanted "Lord let me know my end, and the number of my days." The body was then borne into the street, and escorted to the Pennsylvania depot, on Sixth Street, by a battalion of the Fifth Cavalry with its band, and the Second Artillery. The funeral train left Washington for Mans-

field at 3:30 in the afternoon. It arrived at Mansfield at 10:14 the next day. At the depot an immense throng of citizens awaited the arrival of the train. Men, women and children of every station of life were there, some out of curiosity, but most of them sincere mourners for the dead. The place of honor was given a company of old soldiers of the Sherman Brigade, and they walked beside the hearse as the body was slowly carried from the train to the little church where his wife and mother had worshiped, but where he had not often gone himself. This church stands about midway between the station and the old Sherman home, and as the coffin was borne into the church to remain until interment in the afternoon, it seemed pathetic that time did not permit that he be carried on to his old home to rest for an hour or two, under the shade of the trees, or the roof of the old homestead. The coffin, covered with rich floral offerings, was placed in front of the chancel in the church, and the white face of the dead statesman was viewed by the thousands who filed by, until the services commenced. The private car which carried President McKinley and Secretary Root to Mansfield, to attend the funeral, was attached to the funeral train at Canton. Senator Hanna came from Chicago, where he was conducting the Republican Presidential campaign. Senator Foraker came from Cincinnati; Governor Nash, with many of the State officials, came from Columbus. Judges Burget, Shauck and Davis, of the Supreme Court of Ohio, attended the funeral. The Episcopal funeral service was read in the church by the Rev. A. B. Putnam, the rector. The scene was a most impressive one. At the feet of the rector lay the massive casket. The church was filled with distinguished men, most of whom had been associated with the dead Senator, either in the public service or in politics. Chief among these men, of course, was President McKinley; Elihu Root, the Secretary of War, had been a Sherman man in New York, against the machinations of Platt; Senator Foraker who was first his friend, and then his opponent, and then his friend at the last. Senator Hanna who had first been appointed, and then elected to his

place in the Senate; State officials and politicians who had followed him as leader in the days of his strength; a few old friends; these were all in the church, but outside was a vast multitude reverently awaiting the end of the service inside the church. At last it is over, and the funeral procession forms upon the street. Slowly, to the solemn music of the dirge, the long column moved from the church to the cemetery, on the hill. The streets upon either side of the line of march was lined with people who stood uncovered and reverently bowed their heads as the funeral car passed through. Under the spreading branches of a native beech, upon the crest of a hill overlooking a beautiful winding valley, the relatives and neighbors and associates of John Sherman laid him to sleep by the side of his wife, and near the graves of his mother and grandmother. The grandson, after having wrought mightily in the world, came to his final rest, at the feet of the old Connecticut woman, around whose knee he had played in childhood, and from whom he had inherited and by whom he had been taught, the stern and unbending qualities of character and conduct, which made his life seem cold and severe.

The Nineteenth Century, while it fostered innumerable talents which crystalized into some of the finest specimens of poetry, and eloquence, and art, and developed mechanical and material results beyond all that the human brain had dreamed before, had only here and there a phenomenal man. Men so developed and equipped for the needs of their time that all the world knew and honored them.

The first of these was Gladstone, the Grand Old Man, who for forty years dominated English politics, and shaped the course and destiny of the mightiest empire of the earth. He rose superior to all the traditions of Royalty, which were the very life and breath of his inheritance, and by every act of his life proclaimed that the lowest had rights that the highest could not honorably nor safely ignore.

The second was Bismarck, who made Germany and the German Army the imperial power they are to-day. The man who beside whose virile and rugged personality, Kings and Emperors dwindled into common clay.

The third, in the order of advent only, was Abraham Lincoln. Neither time nor place nor Nation can claim all that name implies. In Lincoln there was that marvelous combination and blending of heart, and soul, and mind, which go to make a man of destiny. He had at times the wisdom of Solomon, the prophetic vision of Jeremiah, the eloquence of David, the uncouth garb of John the Baptist, and the gentleness of Jonathan, the son of Saul. A man of the people who knew by actual experience and contact, the very heartbeats of the lowly; and yet a man who by personal effort had raised himself up to the level of the highest, and had carried with him the thought and feeling of each, and all human strata, so that his words found echo in every human heart. Often times the words of his mouth seemed the voice of inspiration; and the eloquence learned in no human school, carried with it a conviction and a sense of awe, and men wondered, as they wondered at the wisdom of Christ, and said again "whence hath this man learning."

Arising to National prominence before Lincoln, and continuing his career for full a generation after Lincoln's death, JOHN SHERMAN stands full height with these lofty human eminences, who will make the Nineteenth Century, itself an eminence in the social, political and material world, forever illustrious and conspicuous for the achievements of the great men it produced.

THE END.

